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Washington, Tuesday, January 29, 1946

The President

EXECUTIVE ORDER 9686

PROVIDING FOR THE ADMINISTRATION BY THE HOUSING EXPEDITER OF CERTAIN FUNCTIONS RELATING TO HOUSING

By virtue of the authority vested in me by the Constitution and the laws of the United States, including Title I of the First War Powers Act, 1941 (55 Stat. 838), and the War Mobilization and Reconversion Act of 1944 (58 Stat. 785), and as President of the United States, it is hereby ordered as follows:

1. The Housing Expediter, heretofore established in the Office of War Mobilization and Reconversion, in the exercise of his functions is, among other things, authorized to:

(a) Formulate such plans and programs as are necessary to provide for an increased supply of housing accommodations of all kinds and, in particular, of homes available for sale or rental at moderate prices to veterans of World War II and their immediate families.

(b) Issue such orders, regulations, or directives to other executive agencies as may be necessary to provide for the exercise of their powers in a manner required by or consistent with the execution of the aforesaid plans and programs, and to coordinate the activities of such agencies directed to the execution of such plans and programs. Each executive agency shall carry out without delay the orders, regulations, or directives of the Housing Expediter, and shall, to the extent necessary, consistent with governing statutes, modify its operations and procedures from time to time to conform to the directions of the Housing Expediter.

(c) Recommend to the President the enactment of such legislation as may be necessary to provide the authority to carry out such plans and programs formulated under this order as are not authorized under existing law.

(d) Consult and cooperate with other agencies of the Federal Government, state and local Governments, industries,

labor, and other groups, both national and local, with respect to the problems created by the housing emergency and the steps which can be taken to remedy it.

2. The executive agencies of the Government shall exercise their emergency powers and other powers for the purpose of aiding in the solution of the problems created by the existing housing emergency, the alleviation of which is vital to an orderly transition from war to peace.

HARRY S. TRUMAN

THE WHITE HOUSE,
January 26, 1946.

[F. R. Doc. 46-1564; Filed, Jan. 28, 1946;
12:23 p. m.]

EXECUTIVE ORDER 9687

REVOKING EXECUTIVE ORDERS CONCERNING FOREIGN SERVICE PAY ADJUSTMENT

By virtue of the authority vested in me as President of the United States by the Act of March 26, 1934, 48 Stat. 466, as amended by the Act of August 14, 1937, ch. 627, 50 Stat. 641 (5 U.S.C. 118c), it is hereby ordered as follows:

Executive Order No. 7972 of September 15, 1938, prescribing regulations governing payment of losses sustained by officers, enlisted men, and employees of the United States while serving in foreign countries on account of appreciation of foreign currencies in their relation to the American dollar, and Executive Orders Nos. 8018 of December 2, 1938, 8261 of September 21, 1939, 8269 of October 11, 1939, 8800 of June 22, 1941, 9057 of February 11, 1942, 9261 of October 31, 1942, and 9449 of June 15, 1944, amendatory thereof, are hereby revoked.

This order shall become effective with respect to any agency concerned as of the close of its pay period terminating or current on January 31, 1946.

HARRY S. TRUMAN

THE WHITE HOUSE,
January 26, 1946.

[F. R. Doc. 46-1565; Filed, Jan. 28, 1946;
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FEDERAL REGISTER

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Book 1: Titles 1-10, including Presidential documents in full text.

Book 2: Titles 11-32.

Book 3: Titles 33-50, including a general index and ancillary tables.

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TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service

PART 175—CONTROL OF PERSONS ENTERING AND LEAVING THE UNITED STATES PURSUANT TO THE ACT OF MAY 22, 1918, AS AMENDED

ALIENS ENTERING THE CANAL ZONE

CROSS REFERENCE: For regulations relating to the control of aliens entering the Canal Zone, issued by the Governor of The Panama Canal, approved by the Secretary of State and by the Attorney General, see Title 35, Part 30, *infra*.

TITLE 10—ARMY: WAR DEPARTMENT

Chapter IV—Military Education

PART 402—SCHOOLS AND COLLEGES

MILITARY TRAINING AND INSTRUCTION

Paragraph (b) of § 402.6 is amended to read as follows:

§ 402.6 *Military training and instruction* * * *

(b) *Additional instruction.* Every effort will be made to offer to those students, who have satisfactorily completed training set forth in (a) above, a further and progressive course of military instruction which will follow, as nearly as the facilities of the institution permit, the program of instruction prescribed for Junior Division, ROTC units (CS), copies of which may be obtained from The Adjutant General. This program will be carefully studied and the policy and method of training outlined therein should be used as a guide and carefully adhered to as far as practicable. In institutions which offer more than 3 years of military instruction the program may be expanded by the allotment of additional time to subjects in this program at the discretion of the officials of the institutions concerned.

(41 Stat. 780; 10 U.S.C. 1180, 1181) [AR 350-3300, 22 Dec. 1938 as amended by C 1, 16 Jan. 1946]

[SEAL] EDWARD F. WITSELL,
Major General,
Acting The Adjutant General.

[F. R. Doc. 46-1436; Filed, Jan. 25, 1946; 2:09 p. m.]

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

PART 58—CONTROL OF PERSONS ENTERING AND LEAVING THE UNITED STATES PURSUANT TO THE ACT OF MAY 22, 1918, AS AMENDED

ALIENS ENTERING THE CANAL ZONE

CROSS REFERENCE: For regulations relating to the control of aliens entering the Canal Zone, issued by the Governor of The Panama Canal, approved by the Secretary of State and by the Attorney General, see Title 35, Part 30, *infra*.

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income, and Excess Profits Taxes
[T. D. 5490]

PART 30—REGULATIONS UNDER THE EXCESS PROFITS TAX ACT OF 1940

PART 35—EXCESS PROFITS TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

POST-WAR REFUND OF EXCESS-PROFITS TAX

Regulations 112 and 109 amended to conform to section 3 of the Tax Adjustment Act of 1945, relating to changes in provisions with respect to post-war refund of excess-profits tax.

I. In order to conform Regulations 112 (26 CFR, Cum. Supp., Part 35) to section 3 of the Tax Adjustment Act of 1945 (Public Law 172, 79th Congress), approved July 31, 1945, such regulations are amended as follows:

PARAGRAPH 1. Section 35.710-5, as amended by Treasury Decision 5393, approved July 21, 1944, is further amended as follows:

(A) By inserting in the first sentence of the second paragraph immediately following the word "retirement": "or the ten percent credit under section 784".

(B) By amending the last two sentences of the third paragraph to read as follows:

In such case the tax deferment claimed under section 710 (a) (5) and this section shall be denied and appropriate adjustment shall be made in the amount of tax otherwise shown by the taxpayer to be payable. For the purposes of section 271 (made applicable to Subchapter E of Chapter 2 by section 729) relating to the definition of deficiency, the amount of tax shown by the taxpayer to be payable so adjusted shall be considered the amount of tax shown on the return.

PAR. 2. There is inserted immediately preceding § 35.780-1 the following:

SEC. 3. CHANGES IN PROVISIONS RELATING TO POSTWAR REFUND OF EXCESS-PROFITS TAX. (Tax Adjustment Act of 1945, approved July 31, 1945.)

(a) The first sentence of section 780 (a) of the Internal Revenue Code is amended by striking out the words "the date of cessation of hostilities in the present war" and substituting in lieu thereof the following: "December 31, 1943".

(b) Section 780 (b) of the Internal Revenue Code is amended by striking out the words "three months before the date of maturity of bonds for such year under subsection (c)" and inserting in lieu thereof the following: "July 1, 1945".

(c) Section 780 (c) of the Internal Revenue Code is amended (1) by inserting in the last sentence after the words "to which this section applies" the following: "shall be payable at the option of the owner on or after January 1, 1946, and", and (2) by striking out the last two lines from the table at the end thereof.

PAR. 3. Section 35.780-1 (a), as amended by Treasury Decision 5442, approved March 2, 1945, is further amended by striking out the second sentence and inserting in lieu thereof: "The taxable years so specified include all taxable years under this part which begin before January 1, 1944."

PAR. 4. There is inserted immediately preceding § 35.781-1 the following:

SEC. 3. CHANGES IN PROVISIONS RELATING TO POSTWAR REFUND OF EXCESS-PROFITS TAX. (Tax Adjustment Act of 1945, approved July 31, 1945.)

(d) Section 781 (a) of the Internal Revenue Code is amended by striking out the words "three months before the date of maturity of the bonds for such year" and inserting in lieu thereof the following: "July 1, 1945".

(e) The last sentence of section 781 (b) of the Internal Revenue Code is amended by striking out the words "the time of the maturity of bonds issued with respect to such taxable year" and substituting in lieu thereof the following: "January 1, 1946".

(f) Section 781 (c) of the Internal Revenue Code is amended to read as follows:

(c) *Tax payments after cut-off date.* In the case of a payment of the tax imposed by this subchapter shown on the return for any taxable year for which a credit is provided in section 780 (a), or the payment of a deficiency in respect of such tax for any such taxable year, on or after July 1, 1945, the amount of the credit under section 780 (a) for such taxable year attributable to such payment shall be paid the taxpayer in cash. No interest for the period after December 31, 1945, shall be assessed or collected on that portion of the tax or deficiency so paid equal to the credit under section 780 (a) attributable to such payment. If after January 1, 1946, there is any credit under section 780 (a) remaining in favor of the taxpayer attributable to any taxable year for which a credit is provided in section 780 (a), such remainder shall be paid to the taxpayer in cash. No amount of any payment made under this subsection to a taxpayer shall be included in gross income.

PAR. 5. Section 35.781-1, as amended by Treasury Decision 5442, is further amended as follows:

(A) By striking out § 35.781-1 (a) and inserting in lieu thereof the following:

(a) *Deficiencies; refunds and credits of overpayments; and payments of certain post-war credits in cash.* In case a deficiency is paid by the taxpayer, or an overpayment is refunded or credited to the taxpayer, for any taxable year to which section 780 (a) applies, appropriate adjustments will be made in the post-war credit account of the taxpayer. In such case, whenever the amount of bonds should be increased or reduced, the Commissioner of Internal Revenue shall

certify the status of the account to the Secretary in order that appropriate adjustments may be made in the amount of bonds. If the refund or credit of an overpayment was made on or before February 25, 1944 (the date of the enactment of the Revenue Act of 1943), the adjustment of the post-war credit or bonds of the taxpayer shall be made in accordance with section 781 (b) in force prior to such date. If the refund or credit of an overpayment is made after February 25, 1944, such adjustment or, in an appropriate case, the reduction in the amount of the refund or credit of the overpayment of the tax, shall be made in accordance with section 781 (b), as amended. Collection from a taxpayer under section 781 (b) in force prior to February 25, 1944, of the amount by which charges (arising by reason of a refund or credit of an overpayment) exceed the amount of the post-war credit of the taxpayer shall be made by the Commissioner of Internal Revenue.

In the case of a payment of the excess profits tax shown on the return for a taxable year to which section 780 (a) applies, or the payment of a deficiency in respect of the tax for any such taxable year, on or after July 1, 1945, the post-war credit attributable to such payment will not be available for the purchase of bonds, but instead the amount of such post-war credit will be paid to the taxpayer in cash. No interest for the period after December 31, 1945, shall be assessed or collected on that portion of the excess profits tax or deficiency in respect of such tax equal to the amount of the credit under section 780 (a) attributable to the payment of such tax or deficiency. The amount of any post-war credit remaining in favor of the taxpayer after January 1, 1946, shall be paid to the taxpayer in cash. Any payment to a taxpayer under section 781 (c) of amounts of any post-war credit shall be made by the Commissioner of Internal Revenue. No interest will be allowed or paid upon any payment to a taxpayer under section 781 (c).

For provisions relating to reduction of the post-war credit on account of the allowance of a credit for debt retirement, see section 783 (c) and § 35.783-1 (c).

No income is realized by reason of the receipt by a taxpayer of any payment under section 781 (c). Nor is any income realized by a successor by reason of his receipt of any such payment, if, under the provisions of section 113, the outstanding post-war credit with respect to which the payment is made had, for the purpose of determining gain or loss from a sale or exchange, the same basis in the hands of the successor as it would have had in the hands of the taxpayer. Otherwise, income may be realized by the successor from the receipt of such a payment.

(B) By striking out "or 85½ percent, whichever is applicable" in the third sentence of § 35.781-1 (b) and inserting in lieu thereof: "or, in the case of a taxable year beginning in 1943 and ending in 1944, the amount of excess profits tax which would be payable if in the computation under section 710 (a) (6) (A) the excess profits tax rate were 81 percent and in the computation under sec-

tion 710 (a) (6) (B) the excess profits tax rate were 85½ percent"

(C) By striking out subparagraph (4) of § 35.781-1 (b).

(D) By striking out examples (5) and (6) in § 35.781-1 (b).

PAR. 6. There is inserted immediately preceding § 35.783-1 the following:

SEC. 3. CHANGES IN PROVISIONS RELATING TO POSTWAR REFUND OF EXCESS-PROFITS TAX. (Tax Adjustment Act of 1945, approved July 31, 1945.)

(g) Section 783 of the Internal Revenue Code is amended by inserting at the end thereof the following new subsection:

(e) Taxable years beginning after December 31, 1943. The provisions of this section shall not apply to taxable years beginning after December 31, 1943.

PAR. 7. Section 35.783-1, as amended by Treasury Decision 5442, is further amended as follows:

(A) By inserting at the end of § 35.783-1 (a) the following: "For provisions making section 783 and the regulations prescribed thereunder inapplicable to taxable years beginning after December 31, 1943, see section 783 (e) and § 35.783-1 (e)."

(B) By striking out example (3) in § 35.783-1 (b) and inserting in lieu thereof the following:

Example (3). The excess profits tax imposed upon the W Corporation for the calendar year 1942 is \$500,000, and for the calendar year 1943 is \$300,000. The amounts paid by the corporation in repayment of indebtedness throughout the year 1942 total \$25,000, and throughout the year 1943 total \$150,000. The outstanding indebtedness of the corporation during the years 1942 and 1943 is as follows:

	Paid	Borrowed	Total indebtedness
Jan. 1, 1942.....			\$200,000
Sept. 1.....			200,000
Oct. 15.....	\$25,000		175,000
Dec. 5.....		\$50,000	225,000
Dec. 31.....			225,000
Total paid.....	25,000		
Jan. 1, 1943.....			225,000
Mar. 15.....		75,000	300,000
Nov. 10.....	150,000		150,000
Dec. 31.....			150,000
Total paid.....	150,000		

The credit allowable for debt retirement for 1942 is zero, computed as follows:

40 percent of \$25,000, the total repaid in 1942 (see section 783 (a) and § 35.783-1 (a)): \$10,000.

But the credit for debt retirement for 1942 may not exceed whichever of the following amounts is the lesser (see section 783 (b) (1) and (3) and § 35.783-1 (b) (2)):

10 percent of \$500,000 (amount of tax imposed): \$50,000.

40 percent of zero (amount by which indebtedness September 1, 1942, \$200,000, exceeds indebtedness at close of taxable year 1942, \$225,000): Zero.

The credit allowable for debt retirement for 1943 is \$20,000, computed as follows:

40 percent of \$150,000, the total repaid in 1943 (see section 783 (a) and § 35.783-1 (a)): \$60,000.

But the credit for debt retirement for 1943 may not exceed whichever of the following amounts is the lesser (see section 783 (b) (1) and (2) and § 35.783-1 (b) (3)):

10 percent of \$300,000 (amount of tax imposed): \$30,000.

40 percent of \$50,000 (amount by which amount of indebtedness September 1, 1942, \$200,000, or smallest amount of indebtedness at close of any preceding taxable year ending after September 1, 1942 (December 31, 1942), \$225,000, whichever amount (\$200,000 or \$225,000) is the lesser, \$200,000, exceeds amount of indebtedness at close of taxable year (December 31, 1943), \$150,000): \$20,000.

(C) By inserting immediately after § 35.783-1 (d) the following:

(e) Taxable years beginning after December 31, 1943. Neither the provisions of section 783 nor the provisions of § 35.783-1, § 35.783-2, or § 35.783-3 apply to taxable years beginning after December 31, 1943.

PAR. 8. Section 35.783-2 (a), as amended by Treasury Decision 5442, is further amended by inserting at the end of the second paragraph thereof the following: "For provisions making section 783 and the regulations prescribed thereunder inapplicable to taxable years beginning after December 31, 1943, see section 783 (e) and § 35.783-1 (e)."

PAR. 9. Section 35.783-3, added by Treasury Decision 5442, is amended as follows:

(A) By inserting at the end of § 35.783-3 (a) the following: "For provisions making section 783 and the regulations prescribed thereunder inapplicable to taxable years beginning after December 31, 1943, see section 783 (e) and § 35.783-1 (e)."

(B) By striking out the fourth sentence of § 35.783-3 (c) (2) and inserting in lieu thereof the following: "For example, if a corporation is organized on September 30, 1943, and reports its income on the basis of a taxable year ending December 31, 1943, the close of any preceding taxable year shall be deemed to be December 31."

(C) By striking out examples (1) and (2) in § 35.783-3 (c) (3) and inserting in lieu thereof the following:

Example (1). On September 30, 1943, the X Corporation merged into the Y Corporation, and the Y Corporation as a part of the merger assumed the outstanding indebtedness of the X Corporation in the amount of \$100,000. The excess profits tax imposed upon the X Corporation for the taxable period of nine months ended September 30, 1943, is \$400,000. The amounts paid by the X Corporation in repayment of indebtedness in 1943 total \$90,000. The outstanding indebtedness of the X Corporation was as follows:

	Paid	Borrowed	Total indebtedness
Jan. 1, 1942.....			\$200,000
Sept. 1.....			200,000
Dec. 5.....	\$25,000		175,000
Dec. 31.....			175,000
Jan. 1, 1943.....			175,000
Mar. 15.....		\$15,000	190,000
June 30.....	90,000		100,000
Sept. 30 (before merger).....			100,000
Sept. 30 (after merger).....			(1)
Total paid.....	90,000		

¹ \$100,000 assumed by Y Corporation in the merger ceases to be indebtedness of X Corporation.

The outstanding indebtedness of the X Corporation, as reconstructed in accordance with paragraph (c) (1) for purposes of the computation of the credit for debt retire-

ment of such corporation for the taxable period ended September 30, 1943, is as follows:

Total indebtedness

September 1, 1942, \$200,000 (indebtedness of the X Corporation September 1, 1942), minus \$100,000 (indebtedness of X Corporation assumed by Y Corporation in the merger, \$100,000, but not to exceed smallest amount of indebtedness of X Corporation September 1, 1942, or at close of any taxable year of X Corporation ending after September 1, 1942, and prior to the merger (September 1, 1942, \$200,000; December 31, 1942, \$175,000), \$175,000): \$100,000.

December 31, 1942, \$175,000 (indebtedness of X Corporation December 31, 1942), minus \$100,000 (indebtedness of X Corporation assumed by Y Corporation in the merger, after application of the limitation as shown above): \$75,000.

The credit for debt retirement allowable to the X Corporation for the taxable period ended September 30, 1943, is \$30,000, computed as follows:

40 percent of \$90,000, the total repaid in 1943 (see section 783 (a) and § 35.783-1 (a)); \$36,000.

But the credit for debt retirement allowable to the X Corporation for the taxable period ended September 30, 1943, may not exceed whichever of the following amounts is the lesser (see section 783 (b) (1) and (2) and §§ 35.783-1 (b) (3) and 35.783-3 (c) (1)):

10 percent of \$400,000 (amount of tax imposed): \$40,000.

40 percent of \$75,000 (amount by which amount of indebtedness September 1, 1942, as reconstructed, \$100,000, or smallest amount of indebtedness, as reconstructed, at close of any preceding taxable year ending after September 1, 1942 (December 31, 1942), \$75,000, whichever amount (\$100,000 or \$75,000) is the lesser, \$75,000, exceeds amount of indebtedness at close of taxable year (September 30, 1943), zero): \$30,000.

The excess profits tax imposed upon the Y Corporation for the fiscal year ended November 30, 1943, is \$500,000 and for the fiscal year ended November 30, 1944, is \$600,000. The amounts paid by the Y Corporation in repayment of indebtedness throughout the fiscal year 1943 total \$100,000 and throughout the fiscal year 1944 total \$150,000. The outstanding indebtedness of the Y Corporation was as follows:

	Paid	Borrowed	Total indebtedness
Dec. 1, 1941.....			\$150,000
Sept. 1, 1942.....			150,000
Oct. 15.....	\$50,000		100,000
Nov. 30.....			100,000
Dec. 1, 1942.....			100,000
July 1, 1943.....	50,000		50,000
Sept. 30 (before merger).....			50,000
Sept. 30 (after merger).....			150,000
Nov. 1.....	50,000		100,000
Nov. 30.....			100,000
Total paid.....	100,000		
Dec. 1, 1943.....			100,000
Mar. 15, 1944.....		\$50,000	150,000
Sept. 1.....	100,000		50,000
Nov. 15.....	50,000		
Nov. 30.....			
Total paid.....	150,000		

¹Includes \$100,000 assumed in the merger.

The outstanding indebtedness of the Y Corporation, as reconstructed in accordance with paragraph (c) (2) for purposes of the computation of the credit for debt retirement of such corporation for the fiscal years 1943 and 1944, is as follows:

Total indebtedness

September 1, 1942, \$150,000 (indebtedness of Y Corporation September 1, 1942), plus

\$100,000 (indebtedness of X Corporation assumed by Y Corporation in the merger, \$100,000, but not to exceed smallest amount of indebtedness of X Corporation September 1, 1942, or at close of any taxable year of X Corporation ending after September 1, 1942, and prior to the merger (September 1, 1942, \$200,000; December 31, 1942, \$175,000), \$175,000): \$250,000.

November 30, 1942, \$100,000 (indebtedness of Y Corporation November 30, 1942), plus \$100,000 (indebtedness of X Corporation assumed by Y Corporation in the merger, after application of the limitation as shown above): \$200,000.

The credit for debt retirement allowable to the Y Corporation for the fiscal year 1943 is \$40,000, computed as follows:

40 percent of \$100,000, the total repaid in the fiscal year 1943 (see section 783 (a) and § 35.783-1 (a)): \$40,000.

But the credit for debt retirement allowable to the Y Corporation for the fiscal year 1943 may not exceed whichever of the following amounts is the lesser (see section 783 (b) (1) and (2) and §§ 35.783-1 (b) (3) and 35.783-3 (c) (2)):

10 percent of \$500,000 (amount of tax imposed): \$50,000.

40 percent of \$100,000 (amount by which amount of indebtedness September 1, 1942, as reconstructed, \$250,000, or smallest amount of indebtedness, as reconstructed, at close of any preceding taxable year ending after September 1, 1942 (November 30, 1942), \$200,000, whichever amount (\$250,000 or \$200,000) is the lesser, \$200,000, exceeds amount of indebtedness at close of taxable year (November 30, 1943) \$100,000): \$40,000.

The credit for debt retirement allowable to the Y Corporation for the fiscal year 1944 is \$40,000, computed as follows:

40 percent of \$150,000, the total repaid in the fiscal year 1944 (see section 783 (a) and § 35.783-1 (a)): \$60,000.

But the credit for debt retirement allowable to the Y Corporation for the fiscal year 1944 may not exceed whichever of the following amounts is the lesser (see section 783 (b) (1) and (2) and §§ 35.783-1 (b) (3) and 35.783-3 (c) (2)):

10 percent of \$800,000 (amount of tax imposed): \$80,000.

40 percent of \$100,000 (amount by which amount of indebtedness September 1, 1942, as reconstructed, \$250,000, or smallest amount of indebtedness (as reconstructed for the fiscal year 1942) at close of any preceding taxable year ending after September 1, 1942 (November 30, 1942, \$200,000; November 30, 1943, \$100,000), \$100,000, whichever amount (\$250,000, or \$100,000) is the lesser, \$100,000, exceeds amount of indebtedness at close of taxable year (November 30, 1944), zero): \$40,000.

Example (2). On September 30, 1943, the X Corporation and the Y Corporation were consolidated into the Z Corporation, and the Z Corporation as a part of the consolidation assumed the outstanding indebtedness of the X Corporation in the amount of \$100,000 and of the Y Corporation in the amount of \$150,000. The excess profits tax imposed upon the X Corporation for the taxable period of nine months ended September 30, 1943, is \$400,000. The amounts paid by the X Corporation in repayment of indebtedness in 1943 total \$90,000. The outstanding indebtedness of the X Corporation during the years 1942 and 1943 is the same as in example (1); and the credit for debt retirement allowable to the X Corporation for the taxable period ended September 30, 1943, is \$30,000, computed as in example (1).

The excess profits tax imposed upon the Y Corporation for the taxable period of nine months ended September 30, 1943, is \$400,000. The amounts paid by the Y Corporation in repayment of indebtedness in 1943 total \$50,000. The outstanding indebtedness of the Y Corporation was as follows:

	Paid	Borrowed	Total indebtedness
Jan. 1, 1942.....			\$150,000
Sept. 1.....			150,000
Oct. 15.....	\$50,000		100,000
Dec. 31.....			100,000
Jan. 1, 1943.....			100,000
July 1.....		\$100,000	200,000
July 15.....	50,000		150,000
Sept. 30 (before consolidation).....			150,000
Sept. 30 (after consolidation).....			(1)
Total paid.....	50,000		

¹ \$150,000 assumed by Z Corporation in the consolidation ceases to be indebtedness of Y Corporation.

The outstanding indebtedness of the Y Corporation, as reconstructed in accordance with paragraph (c) (1) for purposes of the computation of the credit for debt retirement of such corporation for the taxable period ended September 30, 1943, is as follows:

Total indebtedness

September 1, 1942, \$150,000 (indebtedness of Y Corporation September 1, 1942), minus \$100,000 (indebtedness of Y Corporation assumed by Z Corporation in the consolidation, \$150,000 but not to exceed smallest amount of indebtedness of Y Corporation September 1, 1942, or at close of any taxable year of Y Corporation ending after September 1, 1942, and prior to the consolidation (September 1, 1942, \$150,000; December 31, 1942, \$100,000), \$100,000): \$50,000.

December 31, 1942, \$100,000 (indebtedness of Y Corporation December 31, 1942), minus \$100,000 (indebtedness of Y Corporation assumed by Z Corporation in the consolidation, after application of the limitation as shown above): Zero.

The credit for debt retirement allowable to the Y Corporation for the taxable period ended September 30, 1943, is zero, computed as follows:

40 percent of \$50,000, the total repaid in 1943 (see section 783 (a) and § 35.783-1 (a)): \$20,000.

But the credit for debt retirement allowable to the Y Corporation for the taxable period ended September 30, 1943, may not exceed whichever of the following amounts is the lesser (see section 783 (b) (1) and (2) and §§ 35.783-1 (b) (3) and 35.783-3 (c) (1)):

10 percent of \$400,000 (amount of tax imposed): \$40,000.

40 percent of zero (amount by which amount of indebtedness September 1, 1942, as reconstructed, \$50,000, or smallest amount of indebtedness, as reconstructed, at close of any preceding taxable year ending after September 1, 1942 (December 31, 1942), zero, whichever amount (\$50,000 or zero) is the lesser, zero, exceeds amount of indebtedness at close of taxable year (September 30, 1943, zero): Zero.

The Z Corporation was organized on September 30, 1943. The excess profits tax imposed upon the Z Corporation for that portion of the calendar year 1943 during which it was in existence is \$100,000. The amounts paid by the Z Corporation in repayment of indebtedness in 1943 total \$100,000. The outstanding indebtedness of the Z Corporation was as follows:

	Paid	Borrowed	Total indebtedness
Sept. 30, 1943.....			\$250,000
Oct. 15.....		\$50,000	300,000
Dec. 1.....	\$100,000		200,000
Dec. 31.....			200,000
Total paid.....	100,000		

¹ Amount assumed in the consolidation.

The outstanding indebtedness of the Z Corporation, as reconstructed in accordance with paragraph (c) (2) for purposes of the computation of the credit for debt retirement of such corporation for the taxable period ended December 31, 1943, is as follows:

Total indebtedness

September 1, 1942, zero (indebtedness of Z Corporation September 1, 1942), plus \$200,000 (indebtedness of X Corporation assumed by Z Corporation in the consolidation, \$100,000, but not to exceed smallest amount of indebtedness of X Corporation September 1, 1942, or at close of any taxable year of X Corporation ending after September 1, 1942, and prior to the consolidation (September 1, 1942, \$200,000; December 31, 1942, \$175,000), plus \$100,000 (indebtedness of Y Corporation assumed by Z Corporation in the consolidation, \$150,000, but not to exceed smallest amount of indebtedness of Y Corporation September 1, 1942, or at close of any taxable year of Y Corporation ending after September 1, 1942, and prior to the consolidation (September 1, 1942, \$150,000; December 31, 1942, \$100,000), \$100,000): \$200,000.

December 31, 1942, zero (indebtedness of Z Corporation December 31, 1942), plus \$200,000 (aggregate indebtedness of X Corporation and Y Corporation assumed by Z Corporation in the consolidation, after application of the limitation as shown above): \$200,000.

The credit for debt retirement allowable to the Z Corporation for the taxable period ended December 31, 1943, is zero, computed as follows:

40 percent of \$100,000, the total repaid in 1943 (see section 783 (a) and § 35.783-1 (a)): \$40,000.

But the credit for debt retirement allowable to the Z Corporation for the taxable period ended December 31, 1943, may not exceed whichever of the following amounts is the lesser (see section 783 (b) (1) and (2) and §§ 35.783-1 (b) (3) and 35.783-3 (c) (2)):

10 percent of \$100,000 (amount of tax imposed): \$10,000.

40 percent of zero (amount by which amount of indebtedness September 1, 1942, as reconstructed, \$200,000, or smallest amount of indebtedness, as reconstructed, at close of any preceding taxable year ending after September 1, 1942 (December 31, 1942), \$200,000, whichever amount (\$200,000 or \$200,000) is the lesser, \$200,000, exceeds amount of indebtedness at close of taxable year (December 31, 1943), \$200,000): Zero.

PAR. 10. There is inserted immediately preceding Subpart IV, as amended by Treasury Decision 5400, approved August 22, 1944, the following:

SEC. 3. CHANGES IN PROVISIONS RELATING TO POSTWAR REFUND OF EXCESS-PROFITS TAX. (Tax Adjustment Act of 1945, approved July 31, 1945.)

(h) Subchapter E of Chapter 2 of the Internal Revenue Code is amended by adding at the end thereof the following new section:

SEC. 784. TEN PER CENTUM CREDIT AGAINST EXCESS-PROFITS TAX.

(a) *Allowance.* Against the tax imposed by this subchapter for any taxable year beginning after December 31, 1943, there shall be allowed as a credit an amount equal to 10 per centum of such tax.

(b) *Special interest provision.* No interest shall be allowed or paid upon any overpayment of tax resulting from the application of subsection (a) to a taxable year ending before December 31, 1945, unless, in the return made for such taxable year, the taxpayer claims a credit under such subsection.

§ 35.784-1 *Ten percent credit against excess profits tax—(a) General rule.*

Section 784 (a) provides for the allowance of a credit against the excess profits tax imposed for certain taxable years. The taxable years for which such credit is allowable are those beginning after December 31, 1943. The credit under section 784 of a taxpayer for a taxable year is an amount equal to 10 percent of the excess profits tax imposed upon the taxpayer for such year. For such purpose the tax imposed is the amount of tax determined under Subchapter E of Chapter 2 prior to (1) any credit under section 131, as made applicable by section 729, for tax paid or accrued to a foreign country or possession of the United States and (2) any adjustment under section 734 on account of position inconsistent with prior income tax liability. If it is determined, in the case of any taxpayer with respect to any taxable year for which a credit under section 784 is allowable, that constructive average base period net income should be used pursuant to section 722 in computing its tax, the tax imposed, for the purpose of the ten percent credit for such year, is the amount determined pursuant to the preceding sentence after the determination pursuant to such section. But in such case, pending the final determination of the tax pursuant to section 722, the tax imposed shall, for such purpose, be tentatively considered as an amount determined without regard to the determination under section 722, minus the amount, if any, by which the tax payable at the time prescribed for payment is reduced under section 710 (a) (5) (relating to deferment of payment of tax in case of claim under section 722). For the purpose of the credit, the tax imposed does not include any interest, penalty, additional amount, or addition to the tax.

(b) *Special interest provision.* Section 784 (b) provides that no interest shall be allowed or paid upon that portion of any overpayment of excess profits tax for a taxable year ending before December 31, 1945, which is attributable to the allowance of a credit under section 784 unless, in the return made for such taxable year, the taxpayer claims a credit under such section. If, however, the taxpayer claims the benefit of a credit under section 784 in its return for a taxable year for which such credit is allowable, the restriction imposed by section 784 (b) is not applicable. Hence, where such credit is claimed on the return, an understatement of the amount thereof will not deprive the taxpayer of interest on the resulting overpayment, if interest is otherwise allowable. The term "the return" as used in section 784 (b) means the excess profits tax return, including an amended return, filed on or before the due date for such return, or, if the taxpayer fails to file an excess profits tax return on or before the due date, the first return filed thereafter by the taxpayer. The due date of a return is the date on or before which the return is required to be filed in accordance with the provisions of the Internal Revenue Code or the last day of the period covered by an extension of time granted by the Commissioner or a collector.

II. In order to conform Regulations 109 (26 CFR, 1941 Supp., Part 30) to sec-

tion 3 of the Tax Adjustment Act of 1945 (Public Law 172, 79th Congress), approved July 31, 1945, such regulations are amended as follows:

PAR. 11. There is inserted immediately preceding § 30.780-1, as amended by Treasury Decision 5442, approved March 2, 1945, the following:

SEC. 3. CHANGES IN PROVISIONS RELATING TO POSTWAR REFUND OF EXCESS-PROFITS TAX. (Tax Adjustment Act of 1945, approved July 31, 1945.)

(a) The first sentence of section 780 (a) of the Internal Revenue Code is amended by striking out the words "the date of cessation of hostilities in the present war" and substituting in lieu thereof the following: "December 31, 1943".

(b) Section 780 (b) of the Internal Revenue Code is amended by striking out the words "three months before the date of maturity of bonds for such year under subsection (c)" and inserting in lieu thereof the following: "July 1, 1945".

(c) Section 780 (c) of the Internal Revenue Code is amended (1) by inserting in the last sentence after the words "to which this section applies" the following: "shall be payable at the option of the owner on or after January 1, 1946, and", and (2) by striking out the last two lines from the table at the end thereof.

PAR. 12. Section 30.780-1 (a), as amended by Treasury Decision 5442, is further amended by striking out the second sentence and inserting in lieu thereof: "The taxable years so specified are those ending after December 31, 1941, which begin before January 1, 1944."

PAR. 13. There is inserted immediately preceding § 30.781-1, as amended by Treasury Decision 5442, the following:

SEC. 3. CHANGES IN PROVISIONS RELATING TO POSTWAR REFUND OF EXCESS-PROFITS TAX. (Tax Adjustment Act of 1945, approved July 31, 1945.)

(d) Section 781 (a) of the Internal Revenue Code is amended by striking out the words "three months before the date of maturity of the bonds for such year" and inserting in lieu thereof the following: "July 1, 1945".

(e) The last sentence of section 781 (b) of the Internal Revenue Code is amended by striking out the words "the time of the maturity of bonds issued with respect to such taxable year" and substituting in lieu thereof the following: "January 1, 1946".

(f) Section 781 (c) of the Internal Revenue Code is amended to read as follows:

(c) *Tax payments after cut-off date.* In the case of a payment of the tax imposed by this subchapter shown on the return for any taxable year for which a credit is provided in section 780 (a), or the payment of a deficiency in respect of such tax for any such taxable year, on or after July 1, 1945, the amount of the credit under section 780 (a) for such taxable year attributable to such payment shall be paid the taxpayer in cash. No interest for the period after December 31, 1945, shall be assessed or collected on that portion of the tax or deficiency so paid equal to the credit under section 780 (a) attributable to such payment. If after January 1, 1946, there is any credit under section 780 (a) remaining in favor of the taxpayer attributable to any taxable year for which a credit is provided in section 780 (a), such remainder shall be paid to the taxpayer in cash. No amount of any payment made under this subsection to a taxpayer shall be included in gross income.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; Pub. Law 99, 79th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; E.O. 9630, 10 F.R. 12245; Order No. 390, 10 F.R. 13130)

Dated: January 16, 1946.

JOHN C. BORTON,
Director,
Requirements and Supply Branch.

[F. R. Doc. 46-1438; Filed, Jan. 25, 1946;
3:49 p. m.]

Chapter XI—Office of Price Administration PART 1499—COMMODITIES AND SERVICES

[2d Rev. SR 14, Amdt. 17]

CAST IRON SASH WEIGHTS

Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation is amended in the following respects:

A new section 5.5 is added to read as follows:

Sec. 5.5 Resellers maximum prices for cast iron sash weights—(a) (1) Sales by wholesalers. The maximum price for sales by any wholesaler of cast iron sash weights shall be his properly established maximum price in effect on January 29, 1946 to each class of purchaser or his new laid-down cost multiplied by 1.15, whichever is higher.

(2) Sales by retailers purchasing direct from manufacturers. The maximum price for sales by any retailers purchasing cast iron sash weights direct from the manufacturer shall be his properly established maximum price in effect on January 29, 1946 to each class of purchaser or the manufacturer's delivered price multiplied by 1.30, whichever is higher.

(3) Sales by retailers purchasing from persons other than the manufacturer. The maximum price for sales by any retailer purchasing cast iron sash weights from persons other than the manufacturer shall be his properly established maximum price in effect on January 29, 1946 to each class of purchaser or his wholesaler's properly established maximum delivered price multiplied by 1.30, whichever is higher.

SCHEDULE A-3

PROCESSED RAISINS 1945 CROP

Type and variety of standard quality raisins (2,000 lbs.)	Refund per ton (2,000 lbs.)
Natural Thompson Seedless	\$85.99
Natural Seeded Muscat	116.26
Valencia Type of Dehydrated Seeded Muscat	118.49
Sultana	90.84
Golden Bleached, Choice Color	106.68
Thompson Seedless	105.25
Golden Bleached, Ex. Choice Color	106.19
Thompson Seedless	107.14
Golden Bleached, Fancy Color Thompson Seedless	85.26
Sulphur Bleached Thompson Seedless	
Soda Dipped Thompson Seedless	

PROCESSED PRUNES—1945 CROP

Grade size group	Packed point	Refund per ton (2,000 lbs.)
<i>California Three District</i>		
15/20	20	\$50.40
18/24	24	50.50
20/30	29	50.64
22/28	30	50.16
30/40	49	50.61
40/50	69	50.65
50/60	69	50.93
60/70	78	50.17
70/80	89	60.44
80/90	99	60.66
90/100	119	50.99
100/120		
<i>California Outside District and Northwest French</i>		
15/20	20	50.52
18/24	24	50.61
20/30	29	50.76
22/28	30	50.27
30/40	49	50.63
40/50	69	50.78
50/60	69	50.04
60/70	78	60.31
70/80	89	60.58
80/90	99	60.78
90/100	119	61.02
100/120		
<i>Northwest Italian</i>		
15/20	20	63.07
18/24	24	63.11
20/30	29	63.15
22/28	30	63.70
30/40	44	65.07
40/50	44	65.64
50/60	59	65.83
60/70	59	65.82
70/80	79	65.41
80/90	80	65.45
90/100	99	65.35
100/120	119	65.01

¹ The refund for prunes having a packed point falling between any two packed points shown in this schedule will be that shown for higher of such packed points. Example—the refund for California Three District prunes with a packed point of 37 will be the refund for prunes with a packed point of 39, or \$50.16 per ton.

This amendment shall become effective on Feb. 6, 1946.

to a taxpayer under section 781 (c) of amounts of any post-war credit shall be made by the Commissioner of Internal Revenue. No interest will be allowed or paid upon any payment to a taxpayer under section 781 (c).

For provisions relating to reduction of the post-war credit on account of the allowance of a credit for debt retirement, see section 783 (c) and § 35.783-1 (c) of this chapter.

No income is realized by reason of the receipt by a taxpayer of any payment under section 781 (c). Nor is any income realized by a successor by reason of his receipt of any such payment, if, under the provisions of section 113, the outstanding post-war credit with respect to which the payment is made had, for the purpose of determining gain or loss from a sale or exchange, the same basis in the hands of the successor as it would have had in the hands of the taxpayer. Otherwise, income may be realized by the successor from the receipt of such a payment.

(Sec. 62, Internal Revenue Code, 53 Stat. 32; 26 U.S.C. 62, as made applicable by sec. 729 (a), Internal Revenue Code, 54 Stat. 989; 26 U.S.C. 729 (a), and sec. 3, Tax Adjustment Act of 1945, Pub. Law 172, 79th Cong.)

[SEAL]
WM. T. SHERWOOD,
Acting Commissioner
of Internal Revenue.

Approved: January 24, 1946.

JOSEPH J. O'CONNELL, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 46-1437; Filed, Jan. 25, 1946;
3:49 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Office of International Trade, Department of Commerce

Subchapter B—Export Control

[Amdt. 136]

PART 801—GENERAL REGULATIONS

REFUNDS OF SUBSIDY PAYMENTS

Section 801.16 Refunds of subsidy payments is hereby amended in the following particulars:

Paragraph (c) is amended by adding thereto Schedule A-3 as follows:

PAR. 14. Section 30.781-1 (a), as amended by Treasury Decision 5442, is further amended to read as follows:

(a) Deficiencies: refunds and credits of overpayments: and payments of certain post-war credits in cash. In case a deficiency is paid by the taxpayer, or an overpayment is refunded or credited to the taxpayer, for any taxable year to which section 780 (a) applies, appropriate adjustments will be made in the post-war credit account of the taxpayer. In such case, whenever the amount of bonds should be increased or reduced, the Commissioner of Internal Revenue shall certify the status of the account to the Secretary in order that appropriate adjustments may be made in the amount of bonds. If the refund or credit of an overpayment was made on or before February 25, 1944 (the date of the enactment of the Revenue Act of 1943), the adjustment of the post-war credit or bonds of the taxpayer shall be made in accordance with section 781 (b) in force prior to such date. If the refund or credit of an overpayment is made after February 25, 1944, such adjustment or, in an appropriate case, the reduction in the amount of the refund or credit of the overpayment of the tax, shall be made in accordance with section 781 (b), as amended. Collection from a taxpayer under section 781 (b) in force prior to February 25, 1944, of the amount by which charges (arising by reason of a refund or credit of an overpayment) exceed the amount of the post-war credit of the taxpayer shall be made by the Commissioner of Internal Revenue.

In the case of a payment of the excess profits tax shown on the return for a taxable year to which section 780 (a) applies, or the payment of a deficiency in respect of the tax for any such taxable year, on or after July 1, 1945, the post-war credit attributable to such payment will not be available for the purchase of bonds, but instead the amount of such post-war credit will be paid to the taxpayer in cash. No interest for the period after December 31, 1945, shall be assessed or collected on that portion of the excess profits tax or deficiency in respect of such tax equal to the amount of the credit under section 780 (a) attributable to the payment of such tax or deficiency. The amount of any post-war credit remaining in favor of the taxpayer after January 1, 1946, shall be paid to the taxpayer in cash. Any payment

(b) *Notification to retailers.* Each wholesaler of cast iron sash weights who adjusts his maximum prices in accordance with this section shall advise each of his purchasers in writing at or before the issuance of the first invoice after January 29, 1946 of the methods established by this section for determining maximum retail prices for the commodities in question by the following notice:

Under Amendment 17 to Second Revised Supplementary Regulation 14 to the General Maximum Price Regulation, effective January 30, 1946, the maximum price for sales by any retailer purchasing cast iron sash weights from persons other than the manufacturer shall be his properly established maximum price in effect on January 29, 1946 to each class of purchaser or his wholesaler's properly established maximum delivered price multiplied by 1.30, whichever is higher.

(c) *Effect of area pricing orders on resellers maximum prices.* Notwithstanding the provisions of paragraph (a) above, in any area where specific maximum prices are fixed by an area pricing order, such specific order shall apply in that area.

(d) *Definitions.* A "seller" shall not be considered a "reseller" within the meaning of this section when he uses the cast iron sash weights on or in connection with the sale of another article (such as a window or window frame) and his maximum price for the cast iron sash weights and the other article is established on the basis of a lump sum.

A "wholesaler" is any person making a wholesale sale as herein defined. A "wholesale sale" means a sale by any person who prices the commodities covered by this section and resells them to building contractors, resellers, commercial and industrial users, and installers without substantially changing the form.

A "retailer" is any person making a retail sale as herein defined. A "retail sale" means a sale by any person to the ultimate consumer except that for the purpose of this section the term "ultimate consumer" shall not be construed to include commercial and industrial users and installers.

An "installer" is any person who sells cast iron sash weights together with the labor, services, and materials necessary for the installation thereof.

This amendment shall become effective January 30, 1946.

Issued this 25th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-1439; Filed, Jan. 25, 1946;
4:35 p. m.]

PART 1305—ADMINISTRATION

[Rev. SO 127, Amdt. 1]

EXEMPTION AND SUSPENSION OF CERTAIN COMMODITIES AND SERVICES FROM PRICE CONTROL IN TERRITORIES AND POSSESSIONS OF THE UNITED STATES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith,

* 10 F.R. 14500.

has been filed with the Division of the Federal Register.

Revised Supplementary Order 127 is amended in the following respects:

1. In section 1.3 the following commodities are added:

Dressed palmetto fiber
Sisal plastering fiber and sisal plastering filling
Hames

2. In section 3.6 (a) (2) the following commodities are added in alphabetical order:

Crude botanical drugs imported from Canada
Quinidine and its salts in all forms

3. In section 5.1 (a) (1) the following commodities are added in alphabetical order:

Abalone (*Halotis* species) canned in natural juice
Fish roe, canned
Lake Herring, salted

4. In section 5.1 (a) (2) the following commodities are added in alphabetical order:

Apricots, whole unpitted, dried
Black wine grapes, dried
Cherries and cherry stems, dried
Citrus segment, frozen
Coconut, fresh whole, frozen and desiccated
Figs, frozen
Kale, frozen
Lime juice, canned
Melon, frozen
Pears, frozen
Plums, halved pitted, dried
Potatoes, frozen
Prunes, silver (Prunes made from sweet yellow plums), dried
Sauerkraut

5. In section 5.1 (a) (5) the following commodities are added in alphabetical order:

Anise
Basil leaves
Bouillon cubes
Chutney, sweet and sour
Cumin
Curry powder
Dill
Dough ready for baking, frozen
Fennel seed
Foenugreek seed
Garlic salt
Marjoram (Oregano)
Mint flakes
Mint leaves
Prepared hard sauce containing distilled spirits
Rosemary leaves
Saffron
Sage
Savory
Savory salt
Thyme

This amendment shall become effective as of December 20, 1945.

Issued this 28th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-1509; Filed, Jan. 28, 1946;
11:34 a. m.]

PART 1305—ADMINISTRATION

[SO 145]

WHOLESALE'S AND RETAILERS' "EXPENSE RATE" ADJUSTMENTS

A statement of the considerations involved in the issuance of this order, is-

sued simultaneously herewith, has been filed with the Division of the Federal Register.

§ 1305.173 *Wholesalers' and retailers' "expense rate" adjustments*—(a) *What this order does.* Under this order a wholesaler or a retailer pricing under certain regulations may, if he wishes, adjust his ceiling price (subject to the qualifications stated in paragraph (b)) whenever increases in his supplier's ceiling prices would compel him to sell below his expense rate or would further reduce his markups where he is already selling below his expense rate.

(b) *When an adjustment is permitted, and how to figure it.* (1) If you are a retailer or a wholesaler and your ceiling price is established under the General Maximum Price Regulation, Maximum Price Regulation 210, Maximum Price Regulation 580, or Maximum Price Regulation 590, for an article for which your supplier's ceiling price has been increased, you may adjust your ceiling price of that article so that it equals the sum of the net cost of the article including inbound freight and the expenses of your business which are allocable to that article; except that in no case may you increase your ceiling price by an amount greater than the amount found when you multiply your ceiling price by the percentage by which your supplier's ceiling price has been increased. In no case, however, does this order apply where the OPA has fixed the same dollar-and-cents ceiling price for all of the sellers of a class or geographical area or where a retail ceiling price has been required by the OPA to be pre-ticketed. This order may not be used to adjust ceiling prices (under any regulation including those listed above) of food, grain, cereals, seeds, feeds, tobacco, tobacco products, agricultural chemicals, insecticides, beverages, masonry and insulation materials, refractory products, tarred and asphalt roofing, mechanical building equipment, builders' hardware, lumber, and millwork.

(2) You are not permitted to offer, sell or deliver an article at the adjusted price allowed by this order unless:

(i) You have received and have available for inspection by OPA either a written notice from your supplier which states his original unadjusted ceiling price for the article, the total adjustment received by him and his adjusted ceiling price or an invoice from which this information can be obtained.

(ii) You have prepared and have available for inspection by OPA the records required by paragraph (e).

(3) You find your adjusted price by following the procedure in steps 1, 2, and 3 below:

(i) *Step 1.* You first find your "expense rate." (Your expense rate is your expense of operating the department or business in which the article you are pricing is sold, expressed as a percentage of your net sales for that department or business. You must figure your "expense rate" strictly in accordance with paragraph (c).)

(ii) *Step 2.* You then find a selling price for the article you are pricing which will return to you a percentage

margin on selling price over net landed cost equal to your expense rate. You do this by subtracting your expense rate from 100% and by dividing the result into the "net landed cost" of the article. ("Net landed cost" is the cost stated on your invoice, less all available discounts and including inbound freight.)

For instance: If you are pricing an article having a gross cost of \$2.00 and you buy at terms of 5/10 E. O. M., your net price would be \$1.90. If the inbound freight for the article was \$.03 your "net landed cost" would be \$1.93. If your expense rate, calculated in accordance with paragraph (e) is 30%, the amount you would arrive at under this step (\$2.76) is figured by dividing \$1.93 by .70 (100% minus 30%).

(iii) *Step 3.* If your ceiling price determined under the applicable regulation is higher than the amount found in Step 2, this order does not change that ceiling price. However, if that ceiling price is the same as or less than the amount found in Step 2, and if you wish to adjust your ceiling price under this order, you must take as your adjusted price the lower of

(a) The amount found in Step 2, or
(b) Your ceiling price of the article figured, under the applicable regulation plus an amount sufficient to give you the same markup you had before your supplier's adjustment. You find the amount to be added by determining from your supplier's notice to you the percentage by which his price was increased and by multiplying your ceiling price by that percentage.

For instance: If you supplier's notice states his old ceiling price to be \$1.00 and the amount of the adjustment to be \$.10, you would determine that his price had been increased 10%. Accordingly, you would add to your ceiling price 10% thereof.

(c) *How you arrive at your "expense rate."* (1) As stated above, your "expense rate" is your expense of operating the department or business in which the article you are pricing is sold, expressed as a percentage of your total net sales.

If you have books and records which will enable you to figure your "expense rate" for the department in which the article you are pricing is sold, the expense rate which you are to use must be for that department. If your books and records do not enable you to figure the expense rate this way, you may, if you have sufficient books and records, use the expense rate of your entire business. Note carefully that you may not include any items permitted by subparagraph (2) which are involved in the conduct of your business unless you have books and records from which you can accurately determine them.

(2) You arrive at your expense rate for your business (or department, if you are required to use the department for this purpose) by taking the following steps:

(i) Find your total net sales for your most recent fiscal year.

(ii) Also for your most recent fiscal year, list the amount of each expense item listed in Appendix A if you incur such an item of expense. If you have a definite item of expense which is not listed in Appendix A, you may add that

to the list. In no case may you list any expense item unless by your books and records you can support the amount of expense listed for that item. Where you have any of the items included in Appendix A, you are not permitted to lump them but must separately state each expense item you had.

(iii) Add up the amounts of your expense items which you listed in accordance with (ii) and divide the sum by the total sales figure which you found in (i). The result is your expense rate.

(d) *Recalculation of expense rate.* You must recalculate your expense rate anew within 60 days following the end of each of your fiscal years.

(e) *Records and filing.* You may not offer, sell or deliver an article at an adjusted ceiling price found under this section unless the following requirements are met for the unit (department or store, as the case may be) in which the article is offered:

(1) (i) You have filed with the District Office having jurisdiction over your place of business a letter stating:

(a) Your name and address;
(b) The fiscal year for which you computed your expense rate;

(c) The expense rate you have computed, stating the department to which the expense rate applies, or that it applies for the business as a whole, if that is the case.

(ii) You have received from the District Office an acknowledgment of the letter filed under subdivision (i). (This acknowledgment witnesses receipt of the filing but does not express any determination as to the accuracy or validity of the filing.)

(iii) You have, when a recomputation is required by paragraph (d), filed with the District Office a letter stating the recomputed expense rate, and have received an acknowledgment thereof.

(2) You have and maintain at all times for inspection by OPA the following records:

(i) All records, books of account and other documents kept in the regular course of business from which you have computed your expense rate.

(ii) A record showing exactly how you computed your expense rate; showing each item of allowable expense listed in Appendix A; showing the fiscal year used by you in making your computation; showing whether you used your business as a whole or a particular department; and showing the total net sales for the period used.

(iii) Your supplier's notification containing the information which you are required to have under paragraph (a) (2) (i).

(iv) A copy of the letter which you are required to file under subparagraph (1) (i) and the acknowledgment thereof received from your OPA District Office. If you price under an MPR 580 or MPR 590 chart, you must attach the letter and acknowledgment to your chart.

This order shall become effective February 2, 1946.

NOTE: The reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in ac-

cordance with the Federal Reports Act of 1942.

Issued this 28th day of January 1946.

CHESTER BOWLES,
Administrator.

APPENDIX

The items of expense² which you may include in computing your expense rate are the following:³

Officers' Salaries
Office Salaries
Traveling Expense—Officers
Office Supplies and Stationery
Postage
Telephone and Telegraph
Professional Services (Legal and Auditing)
Insurance—Fidelity and Liability
Insurance—Life or Health or Pension Fund
Payments for the direct benefit of employees (excluding officers and owners)
Dues—Subscriptions—Donations
Collection Expense
All Taxes except federal income, federal excess profits, capital gains and capital stock taxes (itemize each tax separately)
Depreciation (do not include accelerated depreciation) on building, furniture and fixtures, salesmen's autos and trunks, delivery equipment
Buyers' Salaries
Traveling Expense—Buyers
Salesmen's Salaries
Salesmen's Commissions and Bonuses
Traveling Expense—Salesmen
House salaries (Salesmen, Clerical and Stockmen)
Prepaid Freight, Express and Parcel Post
Advertising Expense
Insurance on Merchandise
Insurance on Salesmen's Automobiles
Wages—Receiving, Packing and Shipping Force
Packing and Shipping Supplies
Insurance—Delivery Equipment
Rent
Labor (Building—Janitor, elevator man, etc.)
Heat, Light, Power and Water
Building and Equipment Repairs and Supplies
Insurance on Building and Equipment
[F. R. Doc. 46-1510; Filed, Jan. 28, 1946; 11:34 a. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

[RMPR 348, Amdt. 1]

RED CEDAR LOGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 348 is amended in the following respects:

1. Section 1 (a) is amended to read as follows:

(a) *Geographical.* Red Cedar logs produced over the entire botanical range of the species east of the 100th meridian.

² Allowable only in accordance with accepted accounting practices.

³ You may add any other definite item of expense not included in this list provided you identify it specifically. Note carefully that in-bound freight is not to be included as an item of expense since it is already included in the cost base. Also note that you are not permitted to lump together any separate expense items.

2. Section 10 is amended to read as follows:

SEC. 10. Maximum prices. The maximum prices for Red Cedar logs are set forth below:

Area. The United States east of the 100th meridian as follows:

Zone 1. That part of the United States east of the Mississippi River.

Zone 2. That part of the United States west of the Mississippi River and east of the 100th meridian.

Scaling and grading rules—Scale rule. Logs shall be measured on a board foot basis. The Cedar Log Scale (Two-thirds rule) shall be used as the basis for board foot measurement of all logs up to 16" in diameter, and the Doyle Log Rule shall be used for logs 16" in diameter and larger.

Diameter. Minimum diameter—4 inches. The diameter shall be measured at the small end of the log, inside the bark, at the smallest diameter with all fractions of an inch counted back to the next lower full inch.

Length. Logs shall be cut into 8 foot lengths plus normal trim allowance (but not less than 2'). A maximum of 10 percent of the log shipment may be less than 8 feet in length. No charge can be made for the trim allowance.

General requirements. Logs must be sound at both ends with sound knots. All knots should be trimmed smooth with the body of the tree. Ends must be sawed, not chopped. Logs must be reasonably straight.

Culls. Any log not meeting the above specifications shall be classed as a cull. If more than 10 percent of the logs are less than 8 feet in length, the quantity over 10 percent shall be classed as cull logs.

Maximum prices—(a) To producer.

Zone 1. \$55.00 per M feet log scale.

Zone 2. \$50.00 per M feet log scale.

Delivery. Where prices apply. The maximum prices for Red Cedar logs apply either:

1. Loaded on railroad cars at rail siding of common carrier railroad;

2. Piled by the rail siding at the buyer's request in a town where there is a competing mill which buys logs delivered to the mill yard;¹ or

3. Delivered by truck to the buyer's mill from within 25 miles of the mill. If delivery is made to the mill by truck from a distance greater than 25 miles, the buyer may add 10 cents per M' log scale for each additional load mile.

Reduction when logs are bought roadside. If the buyer takes delivery of logs at roadside on a year-around road, the maximum price must be reduced by the amounts listed in the following table for length of haul counted as the mileage distance from the roadside point of sale to the nearest railroad siding:

	Deductions from ceiling price per M feet log scale
Distance to nearest rail siding:	
10 miles or less	\$5.00
11 to 20 miles	7.50
21 to 30 miles	10.00
Over 30 miles	12.50

3. Two new sections, sections 11 and 12, are added to read as follows:

¹ NOTE: The seller of the timber may not be employed to load the timber.

SEC. 11. Concentrators. Where Red Cedar logs are bought from producers and resold to consumers in carload quantities, the buyer may apply to the Lumber Branch, Office of Price Administration, Washington 25, D. C., for permission to add 15 percent to the producer price of those logs. The application must contain the names and addresses of the concentrators and the locations where they operate. This addition must be shown separately on the invoice. It must not be made on the seller's own production, and no part of the 15 percent may be passed on to the producer. The permission will be withdrawn if it appears that it has been used to evade this regulation.

SEC. 12. Special pricing. Buying plants who have customarily purchased cedar logs on a basis other than the board foot may apply in writing to the Lumber Branch, Office of Price Administration, Washington 25, D. C., for the approval of a price on a basis other than the board foot. The application must contain an adequate description of the area from which cedar logs have been purchased on a basis other than the board foot, the type of seller from whom they buy (i. e., producer or concentrator) as well as information showing the level of price paid to the producer or concentrator during the period from January 1, 1944, to March 31, 1944.

This regulation shall become effective February 2, 1946.

Issued this 28th day of January 1946,

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-1504; Filed, Jan. 28, 1946;
11:33 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1¹, Amdt. 8 to Supp. 13]

PACKED FRUITS, BERRIES AND VEGETABLES (1945 AND LATER PACKS)

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Supplement 13 to Food Products Regulation No. 1 is amended in the following respects:

1. The phrase "Bartlett pears ——— only" in the table in the text of section 5 preceding paragraph (a) is amended to read as follows:

Product	Appendix	Section
Bartlett pears, halves (peeled), quarters (peeled), and diced, California only; halves (peeled), Oregon and Washington only.	E	16

2. Appendix E to section 16 is amended in the following respects:

¹ 10 F.R. 11118, 11578, 11748, 12439, 13269, 13111, 13271.

a. Paragraph (a) of the "Explanation" is amended to read as follows:

(a) *What this appendix includes.* This appendix includes the specific pricing provisions for packed Bartlett pears, halves (peeled), quarters (peeled), and diced, produced in California, and for packed Bartlett pears, halves (peeled), produced in Oregon and Washington. It does not apply to any of these styles of pack produced in states other than California, Oregon and Washington, to any style of pack of Bartlett pears other than halves (peeled) produced in the latter two states, nor to packed spiced, whole or pickled pears, or Bartlett pear compote, produced in any area. If the processor sold only seconds grade of Bartlett pears during the base period, he shall establish his maximum prices under section 5 (b).

b. The second sentence in paragraph (e) of the "Explanation" is amended to read as follows:

This adjustment is figured for packed Bartlett pears, under Table 9, which sets forth the raw fruit prices by grade and district classifications separately for each area and the amount that each \$1.00 per ton paid for Bartlett pears is equal to when converted to units of the finished product.

c. In Table 1, Area 2 is added to read as follows:

2. Oregon and Washington.

d. In Table 3, Area 2 is added to read as follows:

AREA 2

Style and grade	No. 2½ cans		No. 10 cans	
	Permitted increase	Price ranges	Permitted increase	Price ranges
Bartlett pears, halves (peeled):				
Fancy	\$0.89	\$3.14-\$3.34	\$3.33	\$10.85-\$11.13
Choice	.83	2.89-3.05	3.11	9.91-10.15
Standard	.73	2.62-2.74	2.74	9.03-9.21
Seconds	.65	2.29-2.37		
Water			2.26	6.94-7.04
Pie			2.22	6.05-6.19
Solid Pack Pie			3.34	8.72-8.86

e. In Table 4, Area 2 is added to read as follows:

AREA 2

Style	No. 2½ cans			
	Fancy	Choice	Standard	Seconds
Bartlett pears halves (peeled)	\$3.24	\$2.97	\$2.68	\$2.33

Style	No. 10 cans				
	Fancy	Choice	Standard	Water	Solid pack pie
Bartlett pears halves (peeled)	\$10.99	\$10.03	\$9.12	\$6.99	\$6.12
					\$8.79

f. In Table 5, Area 2 is added to read as follows:

AREA 2

To convert from a can size in this column	To a can size listed at the head of a column below multiply by the appropriate conversion factor				
	8-ounce	No. 1 tall	No. 2	No. 2½	No. 10
8-ounce				2.77	9.14
No. 1 tall				1.64	5.39
No. 2				1.35	4.45
No. 2½	0.36	0.61	0.74		3.29
No. 10	.11	.19	.22	.31	

g. In Table 8, Area 1, the figure \$3.77 appearing opposite "Standard and pie" in the column headed "No. 10 cans" is amended to read "\$2.92", and the figure "\$1.45" appearing immediately below in the same column is amended to read "\$0.30". In the same table Area 2 is added to read as follows:

AREA 2

Style and grade	No. 2½ cans	No. 10 cans
Bartlett pears, halves (peeled):		
Fancy and choice	\$0.27	\$0.96
Choice and standard	.29	.91
Standards and seconds	.35	
Standard and water		2.13
Standard and pie		3.00
Standard and solid pack pie		.33

h. Part 1 of Table 9 is amended to read as follows:

PART 1—RAW MATERIAL PRICES PER TON TO BE USED IN FIGURING WEIGHTED AVERAGE OF RECOMMENDED PRICES

Area	District	Grade ¹	Price
1	California, District 1, as announced by United States Department of Agriculture, July 20, 1945.	"Prorate Grade" and "Fall and Winter pears suitable for canning."	\$78
	California, District 2, as announced by United States Department of Agriculture, July 20, 1945.		73
	California, District 3, as announced by United States Department of Agriculture, July 20, 1945.		64
	California, District 4, as announced by United States Department of Agriculture, July 20, 1945.		59
		"Hail Grade"	(7)
2		"Second Grade"	(9)
		1	75
		2	43

¹ Grades referred to are those specified in the joint announcement of United States Department of Agriculture and Office of Price Administration.

² 60% of the respective prices for "Prorate Grade."

³ 50% of the respective prices for "Prorate Grade."

i. Table 10 is added to read as follows:

TABLE 10—ADJUSTMENT FOR BASIC WAGE RATE INCREASE

AREA 2

(Dollars per dozen containers)

Style and grade	No. 2½ cans	No. 10 cans
Halves (peeled):		
Fancy	\$0.02	\$0.07
Choice	.02	.06
Standard	.02	.06
Seconds	.02	
Water		.07
Pie		.07
Solid pack pie		.11

To figure amount of adjustment for other container sizes, multiply by appropriate

conversion factor in Table 5 for metal containers; for No. 303 glass, multiply by conversion factor named for No. 1 tall cans; for No. 2½ glass use amount named for No. 2½ cans.

Area 1—No adjustment.

This amendment shall become effective January 24, 1946.

Issued this 24th day of January 1946.

CHESTER BOWLES,
Administrator.

Approved: January 23, 1946.

CLINTON P. ANDERSON,
Secretary of Agriculture.

For the reasons set forth in the statement of considerations and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250, 9328, 9599 and 9620, I find that the issuance of this amendment establishing maximum prices for Bartlett pears, halves (peeled), produced in Oregon and Washington based on an average raw material price of \$73.00 per ton is necessary to aid in the effective prosecution of the war.

J. C. COLLET,
Stabilization Administrator.

[F. R. Doc. 46-1364; Filed, Jan. 24, 1946; 4:39 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMFR 279¹, Amdt. 5]

HOPS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Revised Maximum Price Regulation 279 is amended in the following respect:

Section 3 (h) is added to read as follows:

(h) Hops of the 1945 and previous crops, produced outside the Continental United States and Canada, shall not be purchased for import into the Continental United States or imported therein or received therein by any person if the landed cost of such hops, packed and c. i. f. in bond at the Continental United States port or point of entry, would be or is higher than \$1.21 per pound. Provided, however, in any case where a brewer can show by written evidence that prior to February 2, 1946 he has committed himself by irrevocable letter of credit for the purchase of foreign hops, or had obtained delivery of such foreign hops and that they were either in transit or awaiting transportation to the Continental United States, the Price Administrator by order in writing may exempt such hops from the operation of the foregoing provision.

This amendment shall become effective February 2, 1946.

Issued this 28th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-1502; Filed, Jan. 28, 1946; 11:33 a. m.]

¹ 8 F.R. 11586, 12443; 9 F.R. 286, 10922, 12413, 12535; 10 F.R. 11070.

PART 1418—TERRITORIES AND POSSESSIONS

[RMFR 373,¹ Amdt. 57]

MAINLAND BEER AND ALE IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 24 (a) (4) (i) is amended to read as follows:

(4) Mainland beer and ale—(i) Sales at wholesale. The maximum wholesale price per case, delivered to the purchaser's place of business, of all mainland beer or ale shall be the landed cost multiplied by 1.18, plus the federal excise tax as of April 1, 1944, and the 6% territorial tax, when applicable. In case the wholesaler does not make delivery to the purchaser's place of business, the maximum wholesale price shall be the maximum wholesale price set forth above less 5 cents per case.

This amendment shall become effective as of November 8, 1945.

Issued this 28th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-1507; Filed, Jan. 28, 1946; 11:35 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMFR 373,¹ Amdt. 58]

ALCOHOLIC DRINKS IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 25 of Revised Maximum Price Regulation 373 is amended in the following respects:

1. Paragraph (b) (1) (ii) is amended by adding after the words "Seagrams V. O. Canadian Whiskey" the words "Harwood Whiskey".

2. Paragraph (b) (1) is amended by adding two new subdivisions to read as follows:

(viii) Cordials, liqueurs and specialties. All cordials, liqueurs and specialties (except Vermouths), including Russian Vodkas and all other liquors not specifically set forth in this paragraph (b).

Maximum price
per drink
(cents)

Wholesale cost per case:	per ounce
Up to \$30.00	25
From \$30.01 to \$40.00	35
From \$40.01 to \$50.00	45
From \$50.01 to \$60.00	55
From \$60.01 to \$70.00	65
From \$70.01 and over	75

(ix) Alcoholic mixed drinks. The maximum price for any alcoholic mixed drink not specifically priced elsewhere in this paragraph (b) shall not exceed the sum of the maximum prices of the

¹ 10 F.R. 6646, 7407, 7794, 7799, 8020, 8069, 8371, 8979, 9273, 9274, 9275, 9466, 9540, 9620, 9618, 9882, 9928, 10085, 10086, 10125, 10086, 10229, 10437, 11399, 11666, 11753, 12086, 12087, 12209, 12213, 12404, 12403, 12766, 12767, 12811, 12849, 13072, 13445, 13312, 14390, 14391, 14449, 14659, 14706, 15071, 15072, 11299.

alcoholic ingredients contained in such drinks. If the quantity of any one of the alcoholic ingredients is less than one ounce, a proportionate reduction in the per drink price of that ingredient must be made before computing the maximum price of the alcoholic mixed drink.

3. Paragraph (c) (1) (ii) is amended by adding after the words "Seagram's V. O. Canadian Whiskey" the words "Harwood Whiskey".

4. Paragraph (c) (1) is amended by adding two new subdivisions to read as follows:

(vi) *Cordials, liqueurs and specialties.* All cordials, liqueurs and specialties (except Vermouths), including Russian Vodka and all other liquors not specifically set forth in this paragraph (c).

Wholesale cost per case	Maximum price per drink	Cabaret tax	Maximum price per drink including tax
	Cents per ounce	Cents	Cents per ounce
Up to \$30.00.....	25	5	30
From \$30.01 to \$40.00.....	33	7	40
From \$40.01 to \$50.00.....	46	9	55
From \$50.01 to \$60.00.....	54	11	65
From \$60.01 to \$70.00.....	62	13	75
From \$70.01 and over.....	75	15	90

(vii) *Alcoholic mixed drinks.* The maximum price for any alcoholic mixed drink not specifically priced elsewhere in this paragraph (c) shall not exceed the sum of the maximum prices of the alcoholic ingredients contained in such drinks. If the quantity of any one of the alcoholic ingredients is less than one ounce a proportionate reduction in the per drink price of that ingredient must be made before computing the maximum price of the alcoholic mixed drink.

5. Paragraph (h) is amended by adding a new subparagraph to read as follows:

(13) "Alcoholic mixed drink" means a drink containing two or more different alcoholic ingredients.

This amendment shall become effective as of November 16, 1945.

Issued this 28th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-1508; Filed, Jan. 28, 1946;
11:35 a. m.]

PART 1426—WOOD PRESERVATION AND PRIMARY FOREST PRODUCTS
[MPR 558, Amdt. 4]

EASTERN WOODEN MINE MATERIALS AND INDUSTRIAL BLOCKING

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

1 10 F.R. 6646, 7407, 7794, 7799, 8020, 8069, 8371, 8979, 9273, 9274, 9275, 9466, 9540, 9620, 9618, 9882, 9928, 10085, 10086, 10125, 10086, 10229, 10437, 11399, 11666, 11753, 12086, 12087, 12209, 12213, 12404, 12403, 12766, 12767, 12811, 12849, 13072, 13445, 13312, 14390, 14391, 14449, 14659, 14706, 15071, 15072, 11299.

Maximum Price Regulation 558 is hereby amended in the following respects:

1. In section 14, Tables 5, 5 (A), 5 (B), 5 (C), 5 (D), 5 (E), and 5 (F) are amended to read as follows:

TABLE 5—MAXIMUM PRICES FOR ROUND UNPEELED PIT POSTS, PROPS, POLE TIMBER AND CRIBBING PRODUCED IN MINNESOTA AND DELIVERED ON A 15-CENT FREIGHT RATE

(Weight in pounds and price per lineal foot)

Top diameter inside bark (inches)	Mixed hardwoods and hemlock				Tamarack				Jack, Norway, White Pine and Spruce			
	All lengths 8' and under		All lengths over 8'		All lengths 8' and under		All lengths over 8'		All lengths 8' and under		All lengths over 8'	
	Weight	Price	Weight	Price	Weight	Price	Weight	Price	Weight	Price	Weight	Price
3 to 5.....	10	\$0.03	11	\$0.035								
5 to 7.....	18	.055	19	.06								
7 to 9.....	29	.10	31	.11								
9 to 11.....	43	.135	45	.145								
11 to 13.....	59	.18	62	.19								
13 to 15.....	78	.21	81	.22								
15 to 17.....	97	.26	100	.27								
3 to 5.....					8.5	\$0.035	9.5	\$0.04	7.5	\$0.02	8.5	\$0.03
5 to 6.....					12	.05	13	.055	11	.035	12	.04
6 to 7.....					16	.085	17	.095	14.5	.045	15.5	.055
7 to 8.....					21	.115	22	.13	18.5	.07	19.5	.085
8 to 9.....					26	.15	27	.16	23	.10	24	.11
9 to 10.....					31	.19	33	.20	28	.135	29.5	.145
10 to 11.....					37	.23	39	.24	34	.155	35.5	.165
11 to 12.....					44	.265	46	.28	40	.19	42	.20
12 to 13.....									46	.235	48	.245
13 to 14.....									53	.265	55	.28
14 to 15.....									61	.32	63	.335

TABLE 5 (A)—ROUND UNPEELED PIT POSTS, PROPS, POLE TIMBER AND CRIBBING PRODUCED IN WISCONSIN AND THE UPPER PENINSULA OF MICHIGAN DELIVERED ON A 15-CENT FREIGHT RATE

(Weight in pounds and price per lineal foot)

Top diameter inside bark (inches)	Mixed hardwoods and hemlock				Tamarack				Jack, Norway, White Pine and Spruce			
	All lengths 8' and under		All lengths over 8'		All lengths 8' and under		All lengths over 8'		All lengths 8' and under		All lengths over 8'	
	Weight	Price	Weight	Price	Weight	Price	Weight	Price	Weight	Price	Weight	Price
3 to 5.....	10	\$0.03	11	\$0.035								
5 to 7.....	18	.055	19	.06								
7 to 9.....	29	.10	31	.11								
9 to 11.....	43	.135	45	.145								
11 to 13.....	59	.18	62	.19								
13 to 15.....	78	.21	81	.22								
15 to 17.....	97	.26	100	.27								
3 to 5.....					7.5	\$0.035	8.5	\$0.04				
5 to 6.....					9.5	.045	10.5	.05	7.5	\$0.02	8.5	\$0.03
6 to 7.....					12	.055	13	.06	11	.035	12	.04
7 to 8.....					16	.085	17	.095	14.5	.045	15.5	.055
8 to 9.....					21	.115	22	.13	18.5	.07	19.5	.085
9 to 10.....					26	.15	27	.16	23	.10	24	.11
10 to 11.....					31	.19	33	.20	28	.135	29.5	.145
11 to 12.....					37	.23	39	.24	34	.155	35.5	.165
12 to 13.....					44	.265	46	.28	40	.19	42	.20
13 to 14.....									46	.235	48	.245
14 to 15.....									53	.265	55	.28
									61	.32	63	.335

NOTE: Peeled pit posts. For peeling pit posts 6" in diameter and under, add \$0.01 per lineal foot. For peeling pit posts over 6" in diameter, add \$0.015 per lineal foot.

TABLE 5 (B)—MAXIMUM PRICE FOR ROUND OR SPLIT LAGGING PRODUCED IN ZONE 5 DELIVERED ON A 15-CENT FREIGHT RATE

(192 cubic foot cord)

	Price per cord	Weight in lbs. per cord
Split cedar lagging.....	\$17.20	3,200
Round or split jack pine or poplar.....	17.20	5,000

TABLE 5 (C)—MAXIMUM PRICE FOR OPEN-PIT MINE TIES PRODUCED IN ZONE 5 F. O. B. LOADING-OUT POINTS

	Each
8' Standard tamarack mine cross ties (manufactured from 8' and larger timber).....	\$1.25
8' Small tamarack mine cross ties (manufactured from 7' to 8' timber).....	.73
8' Standard white oak mine cross ties (manufactured from 8' and larger timber).....	1.53
8' Small white oak mine cross ties (manufactured from 7' to 8' timber).....	.83

TABLE 5 (C)—MAXIMUM PRICE FOR OPEN-PIT MINE TIES PRODUCED IN ZONE 5 F. O. B. LOADING-OUT POINTS—Continued

	Per M'BM
Tamarack mine switch ties.....	\$42.00
White oak mine switch ties.....	45.00

FOR MINE SWITCH TIES SOLD AND LOADED IN SETS IN ACCORDANCE WITH THE REQUIREMENTS OF THE PURCHASER, ADD \$2.50 PER M'BM

NOTE: To figure delivered prices in Zone 5 instead of using the provisions of section 4, the following amounts may be added to above prices regardless of the production point.

	Each
Standard tamarack mine cross ties.....	\$0.15
Small tamarack mine cross ties.....	.10
Standard white oak mine cross ties.....	.20
Small white oak mine cross ties.....	.15

	Per M'BM
White oak and tamarack mine switch ties.....	\$7.50

TABLE 5 (D)—MAXIMUM PRICES FOR SAWN MINE MATERIAL PRODUCED IN ZONE 5 F. O. B. LOADING-OUT POINTS

Mixed Hardwoods	Per M'BM		
	Price	Weight	
		Green	Dry
Underground mine ties and mine switch ties—all sizes.....	\$31.75	5,400	3,900
Cross bars (collars):			
All sizes up to and including 6" x 7".....	31.75	5,400	3,900
All sizes over 6" x 7".....	33.75	5,400	3,900
For specified lengths 18' and longer, add.....	3.00		
Post caps (headers)—all sizes.....	31.75	5,400	3,900
All other mine lumber and timbers—all sizes.....	31.75	5,400	3,900

NOTE: For all lengths shorter than 6' and fractional lengths shorter than 7', add \$3.00 per M'BM.

TABLE 5 (E)—MAXIMUM PRICES FOR INDUSTRIAL BLOCKING PRODUCED IN ZONE 5 F. O. B. LOADING-OUT POINTS

Mixed Hardwoods	Per M'BM		
	Price	Weight	
		Green	Dry
All sizes up to and including 6" x 7".....	\$31.75	5,400	3,900
All sizes over 6" x 7".....	33.75	5,400	3,900

NOTE: For all lengths shorter than 6' and fractional lengths shorter than 7', add \$3.00 per M'BM.

TABLE 5 (F)—MAXIMUM PRICES FOR SAWN WEDGES PRODUCED IN ZONE 5 F. O. B. LOADING-OUT POINTS

Wedges (inches)	Per 1,000 wedges		
	Price	Weight	
		Green	Dry
1 1/2 x 1 1/2 x 4 x 12.....	\$10.40	1,350	970
1 1/2 x 1 1/2 x 5 x 12.....	13.00	1,680	1,220
1 1/2 x 1 1/2 x 6 x 12.....	15.60	2,020	1,460
1 1/2 x 1 1/2 x 7 x 12.....	11.25	1,460	1,050
1 1/2 x 1 1/2 x 8 x 12.....	14.10	1,830	1,320
1 1/2 x 1 1/2 x 9 x 12.....	16.90	2,190	1,580
1 1/2 x 1 1/2 x 10 x 12.....	15.15	1,960	1,420
1 1/2 x 1 1/2 x 11 x 12.....	18.20	2,360	1,700
1 1/2 x 1 1/2 x 12 x 12.....	16.45	2,130	1,540
1 1/2 x 1 1/2 x 13 x 12.....	19.70	2,560	1,840
1 1/2 x 1 1/2 x 14 x 12.....	11.25	1,460	1,050
1 1/2 x 1 1/2 x 15 x 12.....	14.10	1,820	1,320
1 1/2 x 1 1/2 x 16 x 12.....	16.90	2,190	1,580
1 1/2 x 1 1/2 x 17 x 12.....	12.15	1,570	1,130
1 1/2 x 1 1/2 x 18 x 12.....	15.15	1,960	1,420
1 1/2 x 1 1/2 x 19 x 12.....	18.20	2,360	1,700
1 1/2 x 1 1/2 x 20 x 12.....	16.45	2,130	1,540
1 1/2 x 1 1/2 x 21 x 12.....	19.70	2,560	1,840
1 1/2 x 1 1/2 x 22 x 12.....	17.70	2,290	1,650
1 1/2 x 1 1/2 x 23 x 12.....	21.25	2,750	1,990

This amendment shall become effective February 2, 1946.

Issued this 28th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-1505; Filed, Jan. 28, 1946; 11:33 a. m.]

PART 1423—GUMS AND NATURAL RESINS

[MPR 297, Amdt. 5]

NATURAL RESINS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 297 is amended as follows:

1. Delete from Table I of Appendix A, (a) (1) § 1423.14 the following:

Congo:	
Congo FAD.....	15%
Congo No. 1.....	15%
Congo No. 2.....	13 1/2%
Congo No. 3.....	12 1/4%
Congo No. 30.....	65%
Congo No. 31.....	21 1/2%
Congo No. 32.....	16%
Congo No. 33.....	14%
Congo No. 34.....	9%
Congo No. 35.....	15 1/2%
Congo No. 36.....	12%
Congo No. 37.....	18%
Congo No. 38.....	12 3/4%
Congo No. 39.....	10%
Congo No. 40.....	8 1/2%
Congo No. 41.....	11%
Momboyo: Momboyo No. 1.....	13 1/2%

2. Sections 1423.14 (b) and 1423.14 (c) are revoked.

This amendment shall become effective February 2, 1946.

Issued this 28th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-1503; Filed, Jan. 28, 1946; 11:33 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14-H, Amdt. 8]

MAXIMUM RATES FOR NEW (OR RESUMED) TRANSPORTATION SERVICES

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 15 is amended as follows:

1. A new parenthetical sentence is added immediately after the word "procedure" in the first undesignated paragraph, as follows "(This section, however, does not apply to pick-up and delivery and transfer services covered by section 9 herein, or to the transportation of motor vehicles covered by section 14):"

2. A new sentence is added at the end of paragraph (c) as follows: "Each Regional Administrator, and such District

Directors as may be authorized by appropriate order of the Regional Administrator, may exercise the authority conferred upon the Price Administrator with respect to price determinations made under this section."

This amendment shall become effective February 2, 1946.

Issued this 28th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-1506; Filed, Jan. 28, 1946; 11:33 a. m.]

Chapter XVIII—Office of Stabilization Administrator, Office of War Mobilization and Reconversion

[Order 2 Under § 4001.306]

PART 4001—STABILIZATION OF WAGES AND PRICES

COMMON AND FACE BRICK, STRUCTURAL CLAY TILE, AND CLAY SEWER PIPE INDUSTRIES

The Civilian Production Administration, the United States Employment Service, and the Bureau of Labor Statistics of the Department of Labor have submitted certain information and recommendations to me with respect to production requirements for common and face brick, structural clay tile, and clay sewer pipe and with respect to the necessity for recruitment of additional manpower in the common and face brick, structural clay tile, and clay sewer pipe industries. After careful consideration, and after consultation with the Housing Expediter, I hereby find:

(a) That adequate production of common and face brick, structural clay tile, and clay sewer pipe is of critical importance to adequate production in the construction industry, and particularly to the emergency housing program;

(b) That a high level of construction activity is of critical importance to the reconversion program;

(c) That present supplies of common and face brick, structural clay tile, and clay sewer pipe are substantially below current and prospective requirements;

(d) That present and anticipated production of common and face brick, structural clay tile, and clay sewer pipe will not achieve minimum production requirements for 1946;

(e) That there appears to be a serious shortage of manpower in the common and face brick, structural clay tile, and clay sewer pipe industries, and that these industries appear to be unable to recruit the manpower necessary to achieve adequate production;

(f) That information supplied to me by the United States Employment Service, the Civilian Production Administration, and the Bureau of Labor Statistics justifies an inquiry to determine whether an increase in wage rates is necessary to make possible, and would be effective in making possible the recruitment of needed manpower in the common and face brick, structural clay tile, and clay sewer pipe industries.

Accordingly, pursuant to the authority vested in me by the Stabilization Act of 1942, as amended, and by Executive Order 9250 of October 3, 1942 (7 F.R. 7871), Executive Order 9328 of April 8, 1943 (8 F.R. 4681), Executive Order 9599 of August 18, 1945 (10 F.R. 10155), Executive Order 9620 of September 20, 1945 (10 F.R. 12033), the directive of October 13, 1945, issued by the Director of Mobilization and Reconversion (10 F.R. 12812), and Executive Order 9651 (10 F.R. 13487), and in accordance with § 4001.306 of these regulations, *It is hereby ordered:*

(1) The National Wage Stabilization Board is authorized to entertain applications under these regulations and under the orders and regulations of the Board for approval of wage increases in the common and face brick, structural clay tile, and clay sewer pipe industries.

(2) Upon the filing of an application authorized by paragraph (1) the National Wage Stabilization Board shall take appropriate action to determine whether an increase in wage rates is necessary to make possible, and will be effective in making possible, the recruitment of needed manpower in these industries, and whether such an increase can be approved without unstabilizing effects upon wage rates in related industries in the areas involved. The Board may make this determination with respect to the segment of the industry represented by a single application, or, in its discretion, with respect to a larger proportion of the industry.

(3) If the National Wage Stabilization Board determines that increased wage rates in the industry, or in an appropriate segment of the industry, are necessary to make possible, and will be effective in making possible, recruitment of needed manpower, and that such increased rates can be approved without unstabilizing effects upon wage rates in related industries in the areas involved, the Board shall approve such increases in wage rates as it finds appropriate. Otherwise the Board, if it determines that the increases applied for are not approvable under §§ 4001.303 to 4001.305 of these regulations, shall deny the application or applications. The determination of the Board shall be final and conclusive and, in the event that any wage increase is approved, the increase shall be deemed to be approved also by the Stabilization Administrator.

(4) The Price Administrator is directed to conduct a prompt study of the common and face brick, structural clay tile, and clay sewer pipe industries for the purpose of determining whether increases in ceiling prices will be required if wage increases in the industries are approved by the National Wage Stabilization Board. (E.O. 9250; E.O. 9328, 3 CFR, Cu. Supp. pp. 1213, 1267; E.O. 9599 (10 F.R. 10155); and E.O. 9620 (10 F.R. 12033) and E.O. 9651 (10 F.R. 13487))

Issued and effective this 28th day of January 1946.

J. C. COLLET,
Stabilization Administrator.

[F. R. Doc. 46-1501; Filed, Jan. 28, 1946;
11:15 a. m.]

TITLE 35—PANAMA CANAL

Chapter I—Canal Zone Regulations

PART 30—CONTROL OF ALIENS ENTERING THE CANAL ZONE

By virtue of the authority vested in me by § 58.55, Chapter I, Title 22, Code of Federal Regulations, I hereby prescribe the following regulations relating to the control of entry of aliens into the Canal Zone.

- Sec.
- 30.1 Administration.
- 30.2 Ports of entry designated.
- 30.3 Aliens entering from Republic of Panama.
- 30.4 Aliens destined to Republic of Panama.
- 30.5 Aliens possessing Panama Canal Certificates of Identification.

AUTHORITY: §§ 30.1 to 30.5, inclusive, issued under 22 CFR, 1945 Supp., 58.55; 10 F.R. 9001.

§ 30.1 *Administration.* The duty of controlling the entry of aliens into the Canal Zone under the regulations in this part and the regulations prescribed by the Secretary of State, with the concurrence of the Attorney General, for the control of aliens entering the United States, effective July 1, 1945 (22 CFR, 1945 Supp., 58.41-58.62) is assigned to the Division of Quarantine and Immigration, Health Department, The Panama Canal. Such duty shall be performed under and subject to the control and supervision of the Governor of The Panama Canal.

§ 30.2 *Ports of entry designated.* The ports of Balboa and Cristobal and the Civil Air Terminal at Balboa are designated as ports of entry for the Canal Zone.

§ 30.3 *Aliens entering from Republic of Panama.* So far as they require a passport or permit to enter, the regulations prescribed by the Secretary of State, with the concurrence of the Attorney General, for the control of the entry of aliens into the United States, effective July 1, 1945 (22 CFR, 1945 Supp., 58.41-58.62), shall not be applicable in the case of an alien of any nationality who enters the Canal Zone from the Republic of Panama.

§ 30.4 *Aliens destined to Republic of Panama.* So far as they require a passport or permit to enter, the regulations prescribed by the Secretary of State, with the concurrence of the Attorney General, for the control of the entry of aliens into the United States, effective July 1, 1945 (22 CFR, 1945 Supp., 58.41-58.62), shall not be applicable in the case of an alien of any nationality who arrives at a port of entry in the Canal Zone destined to the Republic of Panama and who possesses the documentation or identification necessary under the immigration laws and regulations of the Republic of Panama for entry into that Republic.

§ 30.5 *Aliens possessing Panama Canal Certificates of Identification.* No permit to enter shall be required in the

¹ 10 F.R. 9001.

² 10 F.R. 8997.

case of an alien who is destined to the Canal Zone and who possesses a certificate of identification authorizing entry into the Canal Zone, issued by the Executive Secretary of The Panama Canal, by direction of the Governor.

J. C. MEHAFFEY,
Governor,
The Panama Canal.

DECEMBER 7, 1945.

Approved: January 21, 1946.

DEAN ACHESON,
Acting Secretary of State.
J. HOWARD McGRATH,
Acting Attorney General.

[F. R. Doc. 46-1481; Filed, Jan. 25, 1946;
2:07 p. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Subtitle A—Office of the Secretary of the Interior

[Order 2158]

PART 6—REGULATIONS FOR ISSUING LICENSES UNDER PATENTS AND PATENT RIGHTS

Title 43, Subtitle A, Part 6, Code of Federal Regulations, issued on August 11, 1945 (10 F.R. 10125), pursuant to section 161 of the Revised Statutes (5 U.S.C. sec. 22), and the act of April 5, 1944 (58 Stat. 190, 30 U.S.C. secs. 321-325), is revised to read as follows:

- Sec.
- 6.1 Purpose of part.
- 6.2 Patents in which the Secretary of the Interior has transferable interests.
- 6.3 Unpatented inventions in which the Secretary of the Interior has transferable interests.
- 6.4 Licenses unnecessary for use or manufacture by or for the Government; exceptions.
- 6.5 Publicity concerning inventions.
- 6.6 Terms of licenses or sublicenses.
- 6.7 Procedure for issuance of licenses.
- 6.8 Evaluation Committee.

AUTHORITY: §§ 6.1 to 6.8, inclusive, issued under 5 U. S. C. 22, 58 Stat. 190, 30 U. S. C. 321-325.

§ 6.1 *Purpose of part.* It is the purpose of this part to secure for the people of the United States the full benefits of Government research and investigation in the Department of the Interior (a) by providing means for circulating information concerning patents and inventions in which the Secretary of the Interior has transferable interests which are available for licensing; (b) by providing a simple procedure under which such licenses may be obtained by the public; (c) by providing adequate protection for the inventions until such time as they may be made available for licensing without undue risk of losing patent protection to which the public is entitled.

§ 6.2 *Patents in which the Secretary of the Interior has transferable interests.* Patents in which the Secretary of the Interior has transferable interests, and under which he may issue licenses or sublicenses, are classified as follows:

(a) Class (a): Patents, other than those referred to in § 6.2 (c) hereof,

which are owned by the United States, as represented by the Secretary of the Interior, free from restrictions on licensing except such as are inherent in Government ownership;

(b) Class (b): Patents in which the interest of the United States, as represented by the Secretary of the Interior, is less than full ownership, or is subject to some express restriction upon licensing or sublicensing (including patents upon which the Secretary of the Interior holds a license, patents assigned to the Secretary of the Interior as trustee for the people of the United States, and patents assigned to the Secretary of the Interior upon such terms as to effect a dedication to the public);

(c) Class (c): Patents and patent rights acquired by the Secretary of the Interior pursuant to the act of April 5, 1944 (58 Stat. 190, 30 U. S. C. secs. 321-325), and any amendments thereof.

§ 6.3 *Unpatented inventions in which the Secretary of the Interior has transferable interests.* The Secretary of the Interior may also have transferable interests in inventions which are not yet patented. In order to protect the patent rights of the Department, for the eventual benefit of the public, a license may be granted with respect to such an invention only if (a) a patent application has been filed thereon; (b) the invention has been assigned to the United States, as represented by the Secretary of the Interior, and the assignment has been recorded in the Patent Office; and (c) the Solicitor of the Department is of the opinion that the issuance of a license will not prejudice the interests of the Department in the invention. Such licenses shall be upon the same terms as licenses relating to patents of the same class, as described in § 6.2.

§ 6.4 *Licenses unnecessary for use or manufacture by or for the Government; exceptions.* A license from the Secretary of the Interior is not required with respect to the manufacture or use of any invention patented under the act of March 3, 1883 (22 Stat. 625), as amended by the act of April 30, 1928 (45 Stat. 467, 35 U. S. C. sec. 45), or assigned or required to be assigned without restrictions or qualifications to the United States, as represented by the Secretary of the Interior, when such manufacture or use is by or for the Government for governmental, and no other purposes. A license or sublicense may be required, however, in the case of Class (b) patents or patent rights when the terms under which the Secretary of the Interior acquires interests therein necessitate the issuance of a license or sublicense in such circumstances.

§ 6.5 *Publicity concerning inventions.* (a) In order that the public may obtain the greatest possible benefit from inventions in which the Secretary of the Interior has transferable interests, inventions assigned to the Secretary upon which patent applications have been filed shall be publicized as widely as possible within legal limitations of authority, by the Department, by the originating bureau, by the branch or division of that bureau in which the inventor is em-

ployed, and by the inventor himself in his contacts with industries in which the invention is or may be useful. Regular organs of publication shall be utilized to the greatest extent possible. In addition, it shall be the duty of the Solicitor of the Department, upon being advised of the issuance of any patent assigned to the Secretary, to take steps towards listing the patent as available for licensing in the register in the Patent Office established for that purpose.

(b) Publication or public use of an invention constitutes a statutory bar to the granting of a patent for the invention unless a patent application is filed within one year of the date of such publication or public use. In order to preserve rights in unpatented inventions for the people of the United States due precautions should be taken to avoid such statutory bars. To this end, it shall be the duty of every person who shall have made an invention within the general scope of his governmental duties, as defined in Order No. 1763 (7 F. R. 10161), to submit an invention report thereon as soon after reduction to practice as possible, and the duty of every supervisor of such person to see that such an invention report is made. Whether or not an invention report shall have been made, the Solicitor shall be notified of any use of an invention other than experimental. If an invention is disclosed to any person neither employed by the Department of the Interior nor working in cooperation with the Department upon that invention, a record shall be kept of the date and extent of the disclosure, the person to whom the disclosure was made, and the purpose of the disclosure. No description, specification, plan or drawing of any unpatented invention upon which a patent application is likely to be filed shall be published, nor shall any written description, specification, plan or drawing of such invention be furnished to anyone other than an employee of the Department of the Interior or a person working in cooperation with the Department upon that invention, unless the Solicitor of the Department is of the opinion that the interests of the Department will not be prejudiced thereby. If any publication disclosing the invention, not previously approved by the Solicitor, comes to the attention of the inventor or his supervisor, it shall be the duty of such person to report such publication to the Solicitor.

§ 6.6 *Terms of licenses or sublicenses.* The terms of licenses and sublicenses shall not be unreasonably restrictive.

(a) To the extent that they do not conflict with any restrictions to which the licensing or sublicensing of Class (b) patents and unpatented inventions may be subject, all licenses and sublicenses relating to Class (a) and Class (b) patents and unpatented inventions shall be subject to the following terms and provisions:

The acceptance of a license or sublicense shall not be construed as a waiver of the right to contest the validity of the patent. A license or sublicense shall be revocable only upon a finding by the Secretary, or any person designated by him to make a finding on the subject,

that the terms of the license or sublicense have been violated and that the revocation of the license or sublicense is in the public interest. Such finding shall be made only after reasonable notice and an opportunity to be heard.

Licenses and sublicenses shall be non-transferable. Upon a satisfactory showing that the public will be benefited thereby, they may be granted to properly qualified applicants royalty-free. If no such showing is made, they shall be granted only upon a reasonable royalty or other consideration, the amount or character of which may be determined by the Secretary of the Interior or by any person or persons designated by him. A cross-licensing agreement may be considered adequate consideration.

Licensees and sublicensees may be required to submit annual or more frequent technical or statistical reports concerning practical experience acquired through the exercise of the license or sublicense, the number or quantity produced under the license or sublicense, and other related subjects.

A licensee or sublicensee manufacturing a patented article pursuant to a license or sublicense from the Secretary of the Interior shall give notice to the public that the article is patented by affixing thereon the word "patent," together with the number of the patent, or when, from the character of the article, this cannot be done, by fixing to it, or to the package in which it is enclosed, a label containing the like notice.

All terms and conditions required by these regulations shall be expressly stated in all licenses and sublicenses issued hereunder.

(b) Licenses and sublicenses relating to Class (c) patents and patent rights shall be granted by the Secretary of the Interior upon such terms and conditions as he may hereafter prescribe pursuant to sections 3 and 5 of the act of April 5, 1944, *supra*, and any amendments thereof.

§ 6.7 *Procedure for issuance of licenses.* (a) Any person desiring a license relating to an invention upon which the Secretary of the Interior owns a patent or patent rights shall file with the Solicitor of the Department of the Interior an application for a license, identifying the applicant, his address and citizenship, his business, the patent or invention upon which he desires a license, and stating the purpose for which he desires a license, his experience in the field of the desired license, any patents, licenses, or other patent rights which he may have in the field of the desired license, and the benefits, if any, which the applicant expects the public to derive from his proposed use of the invention.

(b) It shall be the duty of the Solicitor, after consultation with the bureau or office in the Department of the Interior most directly interested in the patent or invention involved, and with the Evaluation Committee established in accordance with § 6.8 hereof, if royalties are to be charged, to determine whether the application is complete and the applicant qualified for the license desired, and to recommend to the Sec-

retary the denial or granting of a license. If he recommends that a license be granted, he shall draft an appropriate license for the signature of the Secretary, including provisions as to consideration, as well as special provisions desired by the bureau or office consulted.

(c) If any inquiry concerning a proposed license or application is made to any bureau or office of the Department the bureau or office shall refer the correspondence to the Solicitor, who shall answer all inquiries. If a completed application is received by a bureau or office, the recommendations of such bureau or office shall be transmitted to the Solicitor before or in lieu of the consultation referred to in paragraph (b). This provision shall not be interpreted to relieve any bureau or office of the duty of promoting the use of any invention developed therein in accordance with the provisions of § 6.5.

§ 6.8 *Evaluation Committee.* At the request of the Solicitor, royalty rates in each instance shall be recommended to him by an Evaluation Committee with special knowledge of the subject matter of the invention, appointed by the Secretary. Such committee shall have authority to recommend royalty rates with respect to any patents or inventions for which royalties may be charged, whether or not an application for a license has been made.

Repeal of inconsistent regulations. Any regulations hitherto issued concerning the licensing of specific patents assigned to the Secretary of the Interior which are inconsistent with this part are hereby repealed.

Issued and effective this 23d day of January 1946.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 46-1479; Filed, Jan. 28, 1946;
9:45 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Docket No. 3666]

PARTS 71-85—TRANSPORTATION OF EXPLOSIVES

TRANSPORTATION OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 23d day of January A. D. 1946.

It appearing, that pursuant to section 233 of the Transportation of Explosives Act approved March 4, 1921, (41 Stat. 1445), and Part II of the Interstate Commerce Commission Act, the Commission has formulated and published certain regulations for transportation of explosives and other dangerous articles:

It further appearing, that in applications received we are asked to amend

the aforesaid regulations as set forth in provisions made part hereof;

It is ordered, That the aforesaid regulations for transportation of explosives and other dangerous articles be, and are hereby, amended as follows:

Article	Classed as	Exemptions and packing (sec.)	Label if not exempt	Maximum quantity, express
(Change) Fluorine.....	INF. G.....	302, 303.....	Red.....	6 pounds.
(Change) *Cement, liquid, n. o. s.....	INF. L.....	103, 110.....	Red.....	15 gallons.
(Add) *Cement, pyroxylin.....	INF. L.....	103, 117.....	Red.....	15 gallons.
*Pyroxylin cement, See Cement, pyroxylin.				
(Add) Hydrofluoric and sulfuric acids, mixtures. See Mixtures of hydrofluoric and sulfuric acids.	COR. L.....	No exemption 267A....	White.....	10 pints.
Mixtures of hydrofluoric and sulfuric acids.				
(Add) Phosphorus sesquisulfide.....	INF. S.....	No exemption 191A....	Yellow.....	11 pounds.

Part 3—Regulations Applying to Shippers (CFR 75)

Superseding and amending sec. 61, order Aug. 16, 1940, as follows:

(Change) (c) (1) (a) High explosives (dynamite) containing not more than 30 percent liquid explosive ingredients must be prepared as prescribed in secs. 61 (a) (2) to 61 (b) (6), except as otherwise specified, and packed in containers complying with the following specifications:

(Add) (c) (1) (a) (1) *Spec. 23G, fiberboard boxes.* Not more than one cartridge in each box. High explosives packed in boxes consisting of more than one tube joined circumferentially are exempt from the requirements of sec. 61 (b) (3) and (b) (4). High explosives packed in boxes consisting of one tube closed at the ends are exempt from the requirements of sec. 61 (b) (1), (b) (3) and (b) (4). Gross weight of boxes not to exceed 65 pounds.

(Add) (c) (2) (a) High explosives (dynamite) containing 10 percent or less of a liquid explosive ingredient may be packed in fiberboard boxes, *spec. 23G.* Not more than one cartridge in each box. High explosives packed in boxes consisting of more than one tube joined circumferentially are exempt from the requirements of sec. 61 (b) (3) and (b) (4). High explosives packed in boxes consisting of one tube closed at the ends are exempt from the requirements of sec. 61 (b) (1), (b) (3) and (b) (4). Gross weight of boxes not to exceed 65 pounds.

(Change) (c) (3) (a) High explosives (dynamite) containing more than 30 percent liquid explosive ingredients must be prepared as prescribed in secs. 61 (a) (2) to 61 (b) (6), except as otherwise specified, and in containers complying with the following specifications:

(Add) (c) (3) (a) (1) *Spec. 23G, fiberboard boxes.* Not more than one cartridge in each box. High explosives packed in boxes consisting of more than one tube joined circumferentially are exempt from the requirements of sec. 61 (b) (3) and (b) (4). High explosives packed in boxes consisting of one tube closed at the ends are exempt from the requirements of sec. 61 (b) (1), (b) (3)

Part 2—List of Explosives and Other Dangerous Articles (CFR 73)

Superseding and amending list, sec. 4, orders Aug. 16, 1940, and Oct. 14, 1943, as follows:

and (b) (4). Gross weight of boxes not to exceed 65 pounds.

(Change) (c) (4) (a) High explosives (gelatin dynamite and blasting gelatin) must be prepared as prescribed in secs. 61 (a) (2) to 61 (b) (6), except as otherwise specified, and in containers complying with the following specifications.

(Add) (c) (4) (a) (1) *Spec. 23G, fiberboard boxes.* Not more than one cartridge in each box. High explosives packed in boxes consisting of more than one tube joined circumferentially are exempt from the requirements of sec. 61 (b) (3) and (b) (4). High explosives packed in boxes consisting of one tube closed at the ends are exempt from the requirements of sec. 61 (b) (1), (b) (3) and (b) (4). Gross weight of boxes not to exceed 65 pounds.

(Change) (h) *Marking.* Boxes containing high explosives must be plainly marked on top and on one side or end, and kegs, drums, or barrels containing high explosives must be marked on both ends "High Explosives—Dangerous" in letters not less than $\frac{7}{16}$ inch in height. The tops of boxes, except those referred to in sec. 61 (d) and (e) and those made in compliance with spec. 23G, must be marked "This Side Up".

Superseding and amending par. (a) (7) sec. 110, order Aug. 16, 1940, to read as follows:

(a) (7) *Spec. 11A or 11B.* Wooden barrels or kegs with inside containers which must be: Glass or earthenware, not over 1 gallon each; metal pails, kits, or cans, not over 2 gallons each.

Superseding and amending par. (a) (9), sec. 110, order Aug. 16, 1940, to read as follows:

(a) (9) *Spec. 15A, 15B, 15C, 16A, or 19A.* Wooden boxes with inside containers which must be: Glass or earthenware, not over 1 gallon each, except that inside containers up to 3 gallons each are authorized when only one inside container is packed in each outside container; or metal pails, kits, or cans, not over 10 gallons each.

Superseding and amending par. (h), sec. 113, order Aug. 13, 1943, as follows: (Cancel) par. (h), sec. 113.

Superseding and amending par. (a) sec. 117, order Aug. 16, 1940, to read as follows:

117 (a) Rubber cement and pyroxylin cement must be packed in specification containers as follows:

Superseding and amending par. (a), sec. 170, order June 29, 1945, to read as follows:

170 (a) Fibers or fabrics impregnated, saturated or coated with animal or vegetable oils, or organic substances, manufactured articles or processed materials which are liable to spontaneous heating or combustion in transit must be packed in hermetically sealed metal-lined wooden boxes or air-tight metal containers.

Superseding and amending par. (b), sec. 170, order Aug. 16, 1940, to read as follows:

(b) Such materials, substances or articles must not be offered for transportation by rail express.

Amending order Aug. 16, 1940, as follows (add):

191A (a) Phosphorus sesquisulfide must be packed in specification containers as follows:

(b) *Spec. 15A or 15B.* Wooden boxes with metal inside containers hermetically sealed (soldered), or in water-tight metal cans with screw-top closures.

(c) *Spec. 6A, 6B or 6C.* Metal barrels or drums, not over 30 gallons capacity each.

Superseding and amending par. (a) (3), sec. 206, order Aug. 16, 1940, to read as follows:

(a) (3) *Spec. 5, 6A, 6B, or 6C.* Metal barrels or drums.

Superseding and amending par. (b) (2), sec. 206, order Aug. 16, 1940, to read as follows:

(b) (2) *Spec. 15A or 15B.* Wooden boxes with inside metal drums, *Spec. 37D* (single-trip), having welded side seams, net weight not over 30 pounds, or with inside glass containers, each enclosed in a tin container.

Superseding and amending par. (b) (7), *spec. 11A*, sec. 207, order Feb. 10, 1943, as follows: (Cancel) par. (b) (7) *spec. 11A*, sec. 207.

Superseding and amending pars. (e) (f), sec. 247, order Aug. 16, 1940, to read as follows:

(e) *Spec. 5A.* Metal barrels or drums. Benzyl chloride must be stabilized when packed in unlined containers.

(f) *Spec. 103A.* Tank cars except that for tin tetrachloride (anhydrous) *spec. 105A300* tank cars must be used. Benzyl chloride must be stabilized when loaded in unlined tanks.

Superseding and amending par. (i), sec. 247, order Nov. 8, 1941, to read as follows:

(i) *Spec. MC310.* Tank motor vehicles. Benzyl chloride must be stabilized when loaded in unlined tanks.

Superseding and amending par. (a) (1), sec. 260, order Aug. 16, 1940, to read as follows:

260 (a) (1) Electric storage batteries containing electrolyte, acid, or alkaline corrosive battery fluid, must be completely protected so that short circuits will be prevented; they must not be packed with other articles except electrolyte or corrosive battery fluid as provided in sec. 258, portable searchlights properly cushioned, or bolts, nuts, cable terminals, or hydrometers securely packed in a separate container. The batteries either with or without other articles must be packed in specification containers as follows:

Amending sec. 263, order Aug. 16, 1940, as follows:

(a) (10) *Spec. MC310.* Tank motor vehicles, rubber lined.

Superseding and amending par. (k), sec. 264, order Aug. 16, 1940, to read as follows:

264 (k) (1) *Spec. 5D.* Lined metal barrels or drums. Authorized only for acid not over 62 percent strength. Any barrel or drum that shows evidence of damage must be tested before shipment for defects in lining in the manner prescribed in paragraph 15 of *Spec. 5D*. Lining materials must meet the tests prescribed in sub-paragraphs (k) (2) and (k) (3).

(k) (2) *Performance test.* Test panels of linings for drums in HF acid service must be subjected to a test in 62 percent HF for a period of not less than 90 days. At the end of such period there must be no signs of deterioration of such lining material from chemical attack as evidenced by changes in its physical characteristics, and no signs of permeation of HF through the sample as evidenced by blistering from the metal insert.

(k) (3) *Method of test.* The test panel should be at least 2" by 6" with a steel insert completely covered by lining material. Test panels should be immersed in 62 percent HF so that 50 percent of the panel is in contact with liquid and 50 percent in contact with vapor. Temperature of test to be maintained at 130° F. for the entire 90 days.

(k) (4) Drums must be lined with material at least as thick as the sample material tested.

Amending sec. 266, order Aug. 16, 1940, as follows (add):

(a) (3) (b) *Spec. 1D.* Boxed glass carboys of not over 6.5 gallons nominal capacity; authorized only for strengths not to exceed 35 percent (130 volume) H_2O_2 . Means shall be provided so that accumulated pressure in bottle shall not exceed 10 p. s. i. gauge at 130° F. or shall vent at a pressure not to exceed 10 p. s. i. gauge. The cushioning must be incombustible mineral material, elastic wood-strip packing, or large elastic cushions such as corks fastened securely in position. The use of hay, excelsior, ground cork, or similar material, whether treated or untreated, is prohibited.

Amending order Aug. 16, 1940, as follows (add):

267A (a) Mixtures of hydrofluoric acid and sulphuric acid, containing not more than 80 percent by weight and not less than 70 percent by weight of HF and H_2SO_4 combined, with the HF content not less than 25 percent by weight in any case, must be packed in specification containers as follows:

(b) (1) *Specification 5A.* Unlined metal barrels or drums which have been subjected to an adequate passivation or neutralization process (see note). Containers must be filled to not over 80 percent of capacity at 68° F. If containers are washed out with water, they must be repassivated before shipment.

NOTE: Each metal container, before being put into this service, must be passivated by the following or an equally efficient method: By filling drum to 90 percent of capacity with hydrofluoric acid of 58 percent strength and allowing drum to stand 48 hours at a temperature of 80° F., and then 7 hours at 140° F., the internal pressure maintained at atmospheric pressure by means of a ventilated bung.

(b) (2) Containers not exceeding 55 gallons capacity each are authorized for carload, truckload, less-than-carload, and less-than-truckload shipment. Containers exceeding 55 gallons capacity each are authorized for carload or truckload shipments only but they must be loaded by consignor and unloaded by consignee.

(b) (3) For less-than-carload or less-than-truckload shipments, containers must be of metal at least as heavy as 14 gauge United States Standard for not over 20 gallons capacity each or 12 gauge for not over 55 gallons capacity each. Each container must be subjected to at least one of the following tests before shipment: By interior pressure of at least 15 pounds per square inch before filling or by holding for inspection for at least 24 hours after filling. In either case, each container must be vented prior to shipment.

Superseding and amending par. (g), sec. 272, order March 26, 1945, to read as follows:

(g) *Spec. 5A.* Metal barrels or drums only for acid of 1.7059 specific gravity (60° Be. tolerance plus .2° Be.); or acid of greater strength with or without inhibitor, provided such acid has a corrosive effect on steel measured at 100° F. no greater than 66° Be. commercial sulfuric acid.

Superseding and amending par. (g) (1), sec. 272, order Feb. 26, 1942, to read as follows:

(g) (1) *Spec. 17F.* Metal barrels or drums (single trip) only for acid of 1.7059 specific gravity (60° Be. tolerance plus .2° Be.); or acid of greater strength with or without inhibitor, provided such acid has a corrosive effect on steel measured at 100° F. no greater than 66° Be. commercial sulfuric acid.

Superseding and amending par. (b), sec. 274, order June 24, 1944, to read as follows:

(b) *Spec. 15A, 15B, 15C, 16A, or 19A.* Wooden boxes with inside containers

which must be not over 1 gallon each, except that inside containers up to 3 gallons are authorized when only one is packed in each outside container, as follows:

Superseding and amending par. (d) (1), sec. 302, order Aug. 16, 1940, to read as follows:

(d) (1) Refrigerating machines of the self-contained type containing not over 25 pounds of gas, refrigerating machines of the remote-control type consisting of separate units shipped separately and each containing not over 25 pounds weight of gas, or other similar apparatus assembled for shipment containing not over 15 pounds weight of gas or liquid for their operation, under the following conditions:

Superseding and amending par. (k) (1), sec. 303, order Oct. 14, 1943, to read as follows:

(k) (1) Fluorine must be shipped in metal cylinders complying with Spec. 3A2000 or 3BN400, equipped with valve protection caps and subject to section 303 (e) and 303 (p) (7) (e); cylinders must not be charged to over 400 pounds per square inch, gauge, at 70° F.

Amending par. (p) (14) (a), sec. 303, table, order Aug. 16, 1940, as follows: Add the word "minimum" before the words "retest pressure" in the second column.

Superseding and amending par. (q) (1), sec. 303, Note 7, order Aug. 16, 1940, to read as follows:

NOTE 7. Before any ICC-107A tank car may be used for shipments of hydrogen the following requirements must be met: Each tank must be equipped with one or more safety devices of approved type and discharge area, the discharge outlet of each safety device must be connected to a manifold having an unobstructed discharge area of at least one and one-half times the total discharge area of the safety devices connected to the manifold; all manifolds must be connected to a single common header having an unobstructed discharge outlet pointing upward and extending above the top of the car; the header and the header outlet must each have an unobstructed discharge area at least equal to the total discharge area of the manifolds connected to the header; the header outlet must be equipped with an approved ignition device which will instantly ignite any hydrogen discharged through the safety devices.

Superseding and amending par. (g), sec. 346, order July 7, 1944, to read as follows:

(g) Spec. 5A. Metal drums not exceeding 30 gallons capacity or metal drums of bilge type not exceeding 33 gallons capacity and with openings not exceeding 2.3 inches in diameter. Use of these containers will be permitted because of the present emergency and until further order of the Commission.

Superseding and amending par. (b), sec. 348, order Aug. 16, 1940, to read as follows:

(b) Spec. 5A. Metal barrels or drums, made of not less than 12 gage steel, and limited to 30 gallons capacity, with openings not exceeding 2.3 inches in diameter.

Superseding and amending pars. (b), (c), (d), sec. 349, order Aug. 16, 1940, to read as follows:

(b) Spec. 5, 5A, or 5B. Metal barrels or drums, with openings not exceeding 2.3 inches in diameter.

(c) Spec. 17C or 17E. Metal drums (single-trip containers), with openings not exceeding 2.3 inches in diameter.

(d) Spec. 37D. Metal drums (single-trip containers), welded side seams, openings not over 2.3 inches in diameter, capacity not over 10 gallons.

Superseding and amending par. (q), sec. 402, order Aug. 16, 1940, to read as follows:

(q) When it is known that subsequent shipments of these packages may be made by consignees in less than carload or less than truckload quantities, or in carload or truckload quantities to a point where they may be handled by other than the original consignee, the original shipper should attach labels to the packages as would be required or less than carload or less than truckload shipments.

Appendix to Part 3—Shipping Container Specifications (CFR 72)

Superseding and amending spec. 3A, par. 9 (b), order Aug. 16, 1940, to read as follows:

(b) Calculation must be made by the formula:

$$S = \frac{P(1.3D^3 + 0.4d^3)}{D^3 - d^3}$$

where S=wall stress in pounds per square inch; P=minimum test pressure prescribed for water jacket test or 450 pounds per square inch whichever is the greater; D=outside diameter in inches; d=inside diameter in inches.

Superseding and amending spec. 3B, par. 13 (d), order Aug. 16, 1940, to read as follows:

13 (d) Cylinders must be tested as follows:

1st. Each cylinder; to at least 2 times service pressure.

2nd. Or, 1 cylinder out of each lot of 200 or less; to at least 3 times service pressure. Others must be examined under pressure of 2 times service pressure and show no defect.

Superseding and amending spec. 3C, par. 13 (d), order Aug. 16, 1940, to read as follows:

13 (d) Cylinders must be tested as follows: 1 cylinder out of each lot of 200 or less; to at least 3 times service pressure. Others must be examined under pressure of 2 times service pressure and show no defect. If tested cylinder fails, each cylinder in the lot may be tested; those passing are acceptable.

Superseding and amending spec. 4, par. 13 (d), order Aug. 16, 1940, to read as follows:

13 (d) Each cylinder must be tested to pressure of at least 700 pounds per square inch.

Amending spec. 4, order Aug. 16, 1940, as follows (add):

19. On each cylinder. By stamping plainly and permanently on shoulder, top head, or neck, provided that cylinders not less than 0.090" thick may be

stamped on the side wall adjacent to the top head, as follows:

Amending spec. 4A, order Aug. 16, 1940, as follows (add):

19. On each cylinder. By stamping plainly and permanently on shoulder, top head, or neck: *Provided*, That cylinders not less than 0.090" thick may be stamped on the side wall adjacent to the top head, as follows:

Superseding and amending spec. 4B, par. 13 (d), order Aug. 16, 1940, to read as follows:

13. (d) Cylinders must be tested as follows:

1st. Each cylinder; to at least 2 times service pressure.

2d. Or, 1 cylinder out of each lot of 200 or less; to at least 3 times service pressure. Others must be examined under pressure of 2 times service pressure and show no defect.

Amending spec. 4B, order Aug. 16, 1940, as follows (add):

19. On each cylinder. By stamping plainly and permanently on shoulder, top head, or neck: *Provided*, That cylinders not less than 0.090" thick may be stamped on the side wall adjacent to the top head, as follows:

Amending spec. 4C, order Aug. 16, 1940, as follows (add):

19. On each cylinder. By stamping plainly and permanently on shoulder, top head, or neck: *Provided*, That cylinders not less than 0.090" thick may be stamped on the side wall adjacent to the top head, as follows:

Superseding and amending spec. 5D, order Aug. 16, 1940, and April 13, 1943, to read as follows: (Cancel) present Spec. 5D and substitute new specification as follows (add):

SPEC. 5D Steel barrels or drums;¹ lined.

Containers must comply with specification 5A except as follows (paragraph references are to specification 5A):

5. (a) Lining. To be applied so as to adhere securely to metal throughout; to be tough and pliable. Hard rubber authorized to line closing devices.

5. (b) and (c) and 9 (e). These paragraphs do not apply.

11. (a) ICC-5D. This mark shall be understood to certify that the container complies with all specification requirements.

14. Leakage test. Each container shall be tested with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 15 pounds per square inch; leakers shall be rejected or repaired and retested; removable head containers not required to be tested with heads in place except that samples taken at random and closed as for use, of each type and size, must be tested at start of production and repeated every four months; samples, so tested, must be retained until further tests are made.

15. Additional test. On each container, by 110-volt electrical circuit be-

¹ Removable head containers which will pass all required tests are authorized.

tween inside and outside of container filled with suitable electrolyte; a milliammeter must show zero reading. The milliammeter test is required when retesting containers which show evidence of damage. A spark coil test is permitted on each container during manufacture, in lieu of the milliammeter test described above.

Superseding and amending spec. 9, par. 4 (a), order Jan. 25, 1945, to read as follows:

4 (a). Verify compliance with the requirements of paragraph 5 of this specification by submitting copy of certified chemical analysis obtained from the steel manufacturer for each heat of steel (ladle analysis acceptable); or if such evidence is lacking, then a sample from each coil or sheet must be analyzed and results submitted.

Superseding and amending spec. 9, par. 13 (a), order Sept. 7, 1944, to read as follows:

13. *Pressure tests.* (a) Each cylinder produced shall be tested at an internal pressure¹ of at least 400 pounds per square inch and not exceeding 600 pounds per square inch, held for at least 30 seconds, and shall show no leak or other defect when inspected by suitable means.

¹Warning: Where air or gas pressure is used for testing, means designed to protect personnel is recommended.

Superseding and amending spec. 9, par. 19, order Sept. 7, 1944, to read as follows:

Each and every cylinder was subjected to an interior pressure of _____ pounds per square inch and showed no leak or other defect.

Superseding and amending spec. 12L, order Aug. 13, 1943, as follows: (Cancel) Specification 12L.

Superseding and amending spec. 13, par. 7, order Aug. 16, 1940, to read as follows:

7. *Size of markings (minimum).* — $\frac{5}{16}$ " high.

Superseding and amending spec. 21A, table in par. 2 footnote †, order Oct. 28, 1942, to read as follows:

† Joints in head must be Linderman joints, glued.

Amending spec. 21A, table in par. 2, heading, order Aug. 16, 1940, as follows:

Third column, "Thickness (inch)" (Add) ***

***Minimum thickness may be reduced to $\frac{3}{32}$ " for lumber dressed two sides.

Amending order Aug. 16, 1940, as follows (add):

SPEC. 23G *Special cylindrical fibre-board box for high explosives—General.* 1. *Compliance.* Required in all details.

2. *Definition.* Terms such as "200-pound test" mean minimum strength, Mullen or Cady test.

Materials. 3. (a) *Side walls.* To be four-ply or more of continuous fibre sheets convolutely or spirally wound hav-

ing strength not less than 300-pounds, dry.

(b) *Ends.* To be of one or more plies of fibreboard sufficiently strong and rigid to withstand prescribed tests.

(c) Interior of the container must be lined or so treated as to prevent penetration by the commodity with which the container is filled for shipping.

4. *Stitching staples.* Of steel wire, copper-coated or equivalent in non-sparking quality, at least $\frac{3}{32}$ " x 0.019", or equal cross section, formed into staples approximately $\frac{1}{16}$ " wide.

5. *Tape.* Coated with animal glue at least equal to No. 1 $\frac{3}{4}$ Peter Cooper standard. Cloth tape of strength, across the wool, at least 70 units, Elmendorf test. Sisal tape of 2 sheets of No. 1 Kraft paper, total weight 80 pounds per ream (480 sheets, 24" x 36"); sheets to be combined with asphalt and reinforced by unspun sisal fibers completely embedded in the asphalt and extending across the tape.

Test of board. 6. (a) *Acceptable board.* Must have prescribed strength, Mullen or Cady test, under test as follows:

(b) Clamp board firmly in machine and turn wheel thereof at constant speed of approximately 2 revolutions per second.

(c) Six punctures required, 3 from each side; all results but one must show prescribed strength.

(d) Board failing may be retested by making 24 punctures, 12 from each side; when all results but 4 show prescribed strength it is acceptable.

Construction. 7. (a) Type of container authorized:

(b) One cylindrical tube or,

(c) Two cylindrical tubes butted together and taped or glued completely around circumference at joints to make positive closure.

(d) Open ends to be closed in such a manner as to give complete closure which will withstand prescribed tests.

8. Specification for each type of container manufactured (under the Specification) must be filed with and approved by the Bureau of Explosives. Changes in construction (container and closure) differing from Specification thus filed must be approved before authorized for use.

9. (a) Authorized size and weight limit:

(b) Maximum authorized outside diameter of container is 12".

(c) Maximum authorized gross weight of container is 65 pounds.

Marking. 10. (a) *On each container.* Symbol in rectangle as follows:

ICC— * * *

Stars to be replaced by specification number under which container was made followed by authorized gross weight (for example, ICC-23G40, ICC-23G65, etc.). This mark shall be understood to certify that the container complies with all specification requirements.

(b) Name or symbol (letters) of maker; this must be registered with the Bureau of Explosives and located just above, below, or following the mark speci-

fied in sub-paragraph (a) of this paragraph.

(c) *Size of markings.* At least $\frac{1}{2}$ " high.

Special tests. 11. *By whom and when.* By or for each plant making the boxes; at beginning of manufacture and at 6-month intervals thereafter; on largest size, by weight, above and below 35 pounds gross. Report of results, with all pertinent data, to be maintained on file for 1 year; copy to be filed with the Bureau of Explosives.

12. (a) *Material.* Box material must be not less than 300-pound test board when commercially dry; sidewall when constructed entirely of kraft stock must be not less than .060" thick and .080" thick in all other cases.

(b) Box material must also have 200-pound test strength, moisture content not over 30 percent and puncture strength not less than 200 units, as determined by General Electric Puncture Tester using an average obtained from a series of five tests, as follows:

(c) Immediately after exposure for 3 days to 90 percent humidity at 75° F.

(d) Immediately after it has been in contact with water for 3 hours under 3" head at 75° F.

13. (a) *Completed containers.* Samples must pass the following immediately after exposure for 2 weeks to 90 percent humidity at 75° F.; loaded containers shall contain dummy contents of shape and weight same as expected contents.

(b) Three loaded samples to be tested. Each must withstand end to end pressure of at least 500 pounds without deflection of over $1\frac{1}{2}$ "; speed of compression tester to be $\frac{1}{2}$ " per minute plus $\frac{1}{4}$ " minus $\frac{1}{4}$ " per minute.

(c) Three loaded samples to be tested. Each must withstand side to side pressure of at least 500 pounds without deflection of over $\frac{1}{2}$ "; speed of compression tester to be $\frac{1}{2}$ " per minute plus $\frac{1}{4}$ " minus $\frac{1}{4}$ " per minute.

(d) Three loaded samples to be tested. Each must withstand four 4-foot drops diagonally on one end without rupture.

(e) Three loaded samples to be tested. Each must be dropped once, flat on side, from a height of four feet so as to land on another similar package without rupture.

Part 4—Regulations Applying particularly to Carriers by Rail Freight (CFR 80)

Superseding and amending par. (a), sec. 525, order Feb. 26, 1942, to read as follows:

525 (a) For the transportation of smokeless powder for small arms in quantity exceeding 50 pounds net weight and all dangerous explosives, class A, except blasting caps and electric blasting caps not exceeding 1,000 caps, only closed cars, certified and placarded "Explosives," may be used.

Superseding and amending par. (b) (10), sec. 525, order Aug. 16, 1940, to read as follows:

(b) (10) When packages of explosives are to be loaded over exposed draft bolts or kingbolts or metal floor plates, these

bolts and floor plates must have short pieces of solid, sound wood with beveled ends (2-inch plank) spiked to the floor over them (or empty packages of the same character may be used for this purpose) to prevent possibility of their wearing into the packages of explosives.

Superseding and amending par. (b) (12), sec. 525, order Feb. 26, 1942, to read as follows:

(b) (12) A car must not be loaded with any of the dangerous explosives, class A, or smokeless powder for small arms in quantity exceeding 50 pounds net weight, until it shall have been thoroughly inspected by a competent employee of the carrier who shall certify as to its proper condition under these regulations and shall sign certificate No. 1 prescribed in sec. 525 (e) and (f).

Superseding and amending par. (m), sec. 526, order Feb. 26, 1942, to read as follows:

(m) Container cars must not be used for smokeless powder for small arms in quantity exceeding 50 pounds net weight, dangerous explosives, or blasting caps in any quantity.

Superseding and amending loading and storage chart, sec. 533, order Nov. 8, 1941, as follows:

(Cancel) reference "cx" appearing in column 11, both horizontally and perpendicularly opposite entry "Poisonous Gases or Liquids, in cylinders, Poison Gas Label".

(Add) "X" in columns a, b, c, d, e, f, g, 1, 2, 3, 9, 10 and 11, both horizontally and perpendicularly, opposite entry "Poisonous Gases or Liquids, in cylinders, Poison Gas Label".

(Cancel) footnote "C".

(Cancel) Note.

(Add)

NOTE 1. Charged electric storage batteries must not be loaded in the same car nor stored with any dangerous explosive, class A.

(Add)

NOTE 2. Cyanides or cyanide mixtures must not be loaded or stored with corrosive liquids.

Superseding and amending sec. 540, order Feb. 28, 1942, to read as follows:

540 "Explosives" placards as prescribed by sec. 549 must be applied to certified cars containing dangerous explosives, class A, specified in secs. 53 to 62, and smokeless powder for small arms in quantity exceeding 50 pounds, net weight. Placards must show in the spaces provided station name and date.

NOTE. For cars also requiring the poison gas placard see sec. 542.

Superseding and amending par. (e) sec. 541, order Oct. 14, 1943, to read as follows:

(e) Cars containing shipments of less dangerous explosives, class B. See sec. 540 for placarding cars containing shipments of smokeless powder for small arms in quantity exceeding 50 pounds net weight.

NOTE. For cars also requiring the poison gas placard see sec. 542.

Superseding and amending par. (f), sec. 541, order March 29, 1944, to read as follows:

(f) When dangerous explosives, class A, or smokeless powder for small arms in quantity exceeding 50 pounds net weight, are loaded in the same car with less dangerous explosives, class B, or poisonous solids or liquids, class B, only the "Explosives" placard is required.

Superseding and amending sec. 565, "Note", order Oct. 14, 1943, as follows: (Cancel) Note.

Part 7—Regulations Applying to Shipments Made By Way of Common, Contract or Private Carriers By Public Highway (CFR 85)

Superseding and amending, loading and storage chart, sec. 825, order Nov. 8, 1941, as follows:

(Cancel) reference "cx" appearing in column 11, both horizontally and perpendicularly opposite entry "Poisonous Gases or Liquids, in cylinders, Poison Gas Label".

(Add) "X" in columns a, b, c, d, e, f, g, 1, 2, 3, 9, 10 and 11, both horizontally and perpendicularly opposite entry, "Poisonous Gases or Liquids, in cylinders, Poison Gas Label".

(Cancel) footnote "C".

(Cancel) Note.

(Add)

NOTE 1. Charged electric storage batteries must not be loaded in the same vehicle with dangerous explosives, class A.

(Add)

NOTE 2. Cyanides or cyanide mixtures must not be loaded or stored with corrosive liquids.

Superseding and amending par. (f) (2), sec. 827, order Nov. 8, 1941, to read as follows:

(f) (2) For motor vehicles other than cargo tanks, flares (pot torches), fuses, red electric lanterns, red emergency reflectors, and red flags shall be displayed as required under rule 2.23 and 2.24 of Part 2, Motor Carrier Safety Regulations.

Superseding and amending par. (f) (3), sec. 827, order Nov. 8, 1941, to read as follows:

(f) (3) For cargo tank motor vehicles used for the transportation of inflammable liquids or inflammable compressed gases, whether loaded or empty, red electric lanterns, red emergency reflectors and red flags shall be displayed as required in rules 2.232 and 2.234 and under rule 2.24 of Part 2 of Motor Carrier Safety Regulations.

Superseding and amending par. (b) (4), sec. 828, order Nov. 8, 1941, to read as follows:

(b) (4) Transfer of inflammable liquids en route. No inflammable liquid shall be transferred from one container to another, or from one motor vehicle to another vehicle, or from another vehicle to a motor vehicle, on any public highway, street, or road, except in case of emergency. In such cases red electric lanterns, red emergency reflectors, or red flags shall be set out in the manner prescribed for disabled or stopped motor

vehicles in Motor Carrier Safety Regulations. In any event, all practicable means, in addition to those hereinbefore prescribed, shall be taken to protect and warn other users of the highway against the hazard involved in any such transfer, or against the hazard occasioned by the emergency making such transfer necessary. Nothing contained in this rule shall be so construed as to prohibit the fueling of machinery or vehicles used in road construction and maintenance.

Superseding and amending par. (e) (2), sec. 828, order Nov. 8, 1941, to read as follows:

(e) (2) Transfer of inflammable gas en route; no flame or sparks. No inflammable compressed gas shall be transferred from one container to another, or from one tank motor vehicle to another tank vehicle, or from another tank vehicle to a tank motor vehicle, on any public highway, street, or road, except in case of emergency. In such cases every precaution shall be taken to prevent the escape of gas. Red electric lanterns, red emergency reflectors, or red flags shall be set out in the manner prescribed in Motor Carrier Safety Regulations. All cargo tanks involved in such transfer shall be grounded. The transfer shall be made only during daylight, unless the emergency occurs at night or extends into hours of darkness and the hazard would be increased by waiting until daylight. In any such event, all practicable means, in addition to those hereinbefore prescribed, shall be taken to protect and warn other users of the highway against the hazard involved in any such transfer, or against the hazard occasioned by the emergency making such transfer necessary. Every precaution shall be taken to prevent the ignition of any inflammable compressed gas from any source; and when it is possible to prevent the congregation of persons not directly concerned with the emergency, this shall be done. Every practicable precaution shall be taken to keep flames or fire away from the scene of the emergency and to prevent smoking or the lighting of pipes, cigars, or cigarettes. Similarly, special care shall be exercised in the operation of any engine, whether of the motor vehicles involved or any other, and where the operation of any such engine would be likely to produce ignition of the inflammable compressed gas, the transfer shall be accomplished by other means, if possible. Nothing contained in this regulation shall be so construed as to prohibit the fueling of machinery or vehicles used in road construction and maintenance.

It is further ordered, That this order shall become effective on January 23, 1946, and shall remain in full force and effect until further order of the Commission;

And it is further ordered, That a copy of this order shall be served upon all parties of record herein; and notice shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register. (41

Stat. 1444, 49 Stat. 546, 52 Stat. 1237, 54 Stat. 921, 56 Stat. 176, 59 Stat.; 18 U.S.C. 383, 49 U.S.C. 304)

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 46-1422; Filed, Jan. 25, 1946;
11:37 a. m.]

Chapter II—Office of Defense Transportation

[General Permit ODT 16C-1]

PART 522—DIRECTION OF TRAFFIC MOVEMENT; EXCEPTIONS, EXEMPTIONS, AND PERMITS

FREIGHT SHIPMENTS TO OR WITHIN PORT AREAS IN UNITED STATES

Pursuant to the provisions of Executive Order 8989, as amended, it is hereby authorized that:

§ 522.660 *Shipments of fresh meats and packing house products consigned to the United States Department of Agriculture at the port of New York.* Notwithstanding the restrictions contained in § 502.201 of General Order ODT 16C (10 F.R. 12855), any person may offer for transportation to a rail carrier, and any rail carrier may accept for transportation, or transport, any carload shipment of overseas freight consisting of fresh meats or packing house products, or fresh meats and packing house products, when such shipment is to be transported in a refrigerator car and is consigned to the United States Department of Agriculture at any point within the switching or lighterage limits of New York Harbor.

This General Permit ODT 16C-1 shall become effective January 28, 1946.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183)

Issued at Washington, D. C., this 25th day of January 1946.

HOMER G. KING,
Deputy Director of the
Office of Defense Transportation.

[F. R. Doc. 46-1480; Filed, Jan. 28, 1946;
10:24 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Office of the Secretary.

[Order 2151]

COMMISSIONER OF RECLAMATION

DELEGATION OF AUTHORITY

DECEMBER 27, 1945.

Pursuant to the provisions of the act of December 19, 1941 (55 Stat. 842), subsection (n) of Departmental Order No. 2018, dated December 22, 1944, as promul-

gated by Departmental Order No. 2117, dated October 18, 1945, is hereby amended to read as follows:

(n) To authorized, approve and execute any contract for construction, repair, supplies, services and equipment, where the amount does not exceed \$500,000; and to authorize, approve and execute any change order pursuant to the terms of any contract for construction, repair, supplies, services and equipment, where the amount does not exceed \$500,000: *Provided, however,* That any contract in excess of \$50,000 shall at once be reported in detail to the Secretary of the Interior.

This order is to be effective immediately.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 46-1473; Filed, Jan. 25, 1946;
4:42 p. m.]

DEPARTMENT OF AGRICULTURE.

Office of the Secretary.

UNITED STOCKYARDS CORP.

ORDER TAKING POSSESSION

By virtue of the authority vested in me by the President of the United States by Executive order No. 9685 (11 F.R. 989), dated January 24, 1946, I have found from the information available to me that as a result of threatened strikes and other labor disturbances, existing at 12:01 a. m. January 26, 1946, and thereafter, there are and have been interruptions in the operations of each of the plants and facilities named below, and that such plants and facilities come within the full purview of the Executive order:

United Stockyards Corporation, also known as Fort Worth Stockyards, located in and around Fort Worth, Texas.

United Stockyards Corporation, also known as Milwaukee Stockyards, located in and around Milwaukee, Wisconsin.

Therefore, on behalf of the United States, I have taken possession, effective as of 12:01 a. m. January 26, 1946, of said plants and facilities, including, without limitation, all real estate, buildings, machinery, tools, equipment and inventories, and all livestock, materials, supplies and articles of production and processing of meat, meat products and by-products whatsoever at said plants and facilities or elsewhere which are owned or controlled by the above named companies and which are essential to the efficient operation of said plants and facilities.

Dated: January 26, 1946.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 46-1496; Filed, Jan. 28, 1946;
11:09 a. m.]

HUNTER PACKING CO.

ORDER TERMINATING POSSESSION

By virtue of the authority vested in me by the President of the United States under Executive Order 9685, dated Jan-

uary 24, 1946 (11 F. R. 989), I hereby find from the information available to me that there is no present interruption of production, as a result of existing or threatened strikes or other labor disturbances, at the plants and facilities of The Hunter Packing Company, located in or around East St. Louis, Illinois, designated in the list attached to said Executive order. I, therefore, effective as of 12:01 a. m., January 26, 1946, terminate possession of all plants, facilities, and property of said company, possession of which has been taken by the United States pursuant to said order.

Dated: January 26, 1946.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 46-1497; Filed, Jan. 28, 1946;
11:09 a. m.]

SWIFT & CO. AND ARMOUR & CO.

ORDER TAKING POSSESSION

By virtue of the authority vested in me by the President of the United States by Executive Order No. 9685 (11 F.R. 989), dated January 24, 1946, I have found from the information available to me that as a result of threatened strikes and other labor disturbances, existing at 12:01 a. m. January 26, 1946, and thereafter, there are and have been interruptions in the operations of each of the plants and facilities named below, and that such plants and facilities come within the full purview of the Executive order:

Swift & Company (White Provision Co.) located in and around Atlanta, Georgia.

Armour & Company located in and around Portland, Oregon.

Armour & Company located in and around Indianapolis, Indiana.

Armour & Company located in and around Washington, D. C.

Armour & Company located in and around Oakland, California.

Armour & Company located in and around Seattle, Washington.

Armour & Company located in and around Tacoma, Washington.

Armour & Company located in and around Richmond, Virginia.

Armour & Company located in and around Philadelphia, Pennsylvania.

Therefore, on behalf of the United States, I have taken possession, effective as of 12:01 a. m. January 26, 1946, of said plants and facilities, including, without limitation, all real estate, buildings, machinery, tools, equipment and inventories, and all livestock, materials, supplies and articles of production and processing of meat, meat products and by-products whatsoever at said plants and facilities or elsewhere which are owned or controlled by the above named companies and which are essential to the efficient operation of said plants and facilities.

Dated: January 26, 1946.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 46-1498; Filed, Jan. 28, 1946;
11:09 a. m.]

Production and Marketing Administration.

[Docket No. AO 153-A 3]

DULUTH-SUPERIOR MARKETING AREA

NOTICE OF HEARING ON HANDLING OF MILK

Proposed amendments to marketing agreement, as amended, and order, as amended, regulating the handling of milk in the Duluth-Superior marketing area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and in accordance with the applicable rules of practice and procedure, as amended (7 CFR, Cum. Supp. 900.1 et seq., 10 F.R. 11791), notice is hereby given of a public hearing to be held in the District Court Room, Federal Building, Duluth, Minnesota, beginning at 10:00 a. m., c. s. t., February 12, 1946, with respect to proposed amendments to the marketing agreement, as amended, and order, as amended, regulating the handling of milk in the Duluth-Superior marketing area (7 CFR, Cum. Supp. 954.0 et seq.; 7 CFR 1943 Supp. 954.0 et seq., 6 F.R. 2231, 7 F.R. 595, 8 F.R. 8294, 9903). These amendments have not received the approval of the Secretary of Agriculture.

This public hearing is for the purpose of receiving evidence with respect to economic or marketing conditions which relate to the amendments, or any modification thereof, which are hereinafter set forth. The proposed amendments are set forth below.

The following amendments have been proposed by the Twin Ports Cooperative Dairy Association, Inc.

1. Delete § 954.4 (b) and substitute therefor the following:

(b) *Classes of utilization.* The classes of utilization of milk shall be as follows:

(1) Class I milk shall be all milk, including cream and skimmed milk, the utilization of which is not established as Class II milk or Class III milk;

(2) Class II milk shall be all milk disposed of as cream for consumption in fluid form;

(3) Class III milk shall be all milk, including cream and skimmed milk, the utilization of which is established as (i) being disposed of other than fluid milk, flavored milk, flavored milk drink or as cream for consumption in fluid form; and (ii) actual plant shrinkage up to but not exceeding 2 percent of the total receipts of milk: *Provided*, That plant shrinkage established with respect to milk received by a handler from producers and new producers shall be the proportion of total plant shrinkage determined by applying to total plant shrinkage the percentage which milk received from producers and new producers bears to the total quantity of milk received.

2. Delete § 954.5 (a) (1) and substitute therefor the following:

(1) *Class I milk.* For each delivery period the price for Class III milk for such delivery period plus \$1.00.

3. Renumber § 954.5 (a) (2) as § 954.5 (a) (3) and change the words, "Class II milk," in the first line thereof to read "Class III milk."

4. Add as § 954.5 (a) (2) the following:

(2) *Class II milk.* For each delivery period the price for Class III milk for such delivery period plus \$0.60.

5. Make such other changes as are necessary to bring the remaining sections into conformity with the amendments as proposed above.

Proposed by Dairy Branch, Production and Marketing Administration:

1. Delete § 954.1 (a) (8) and substitute therefor the following:

(8) The term "Secretary" means the Secretary of Agriculture or any officer or employee of the United States who is authorized to exercise the powers and to perform the duties of the Secretary of Agriculture.

2. Delete the term "War Food Administrator" wherever appearing and substitute therefor the term "Secretary."

Copies of this notice of hearing and of the marketing agreement and order, now in effect, may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1331 South Building, Washington 25, D. C., or may be there inspected.

Dated: January 25, 1946.

[SEAL] G. P. PEYTON,
Acting Assistant Administrator for
Regulatory and Marketing Service
Matters, Production and Market-
ing Administration.

[F. R. Doc. 46-1499; Filed, Jan. 28, 1946;
11:09 a. m.]

Rural Electrification Administration.

[Administrative Order 1005]

ALLOCATION OF FUNDS FOR LOANS

JANUARY 5, 1946.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Georgia 70R Mitchell.....	\$30,000
Georgia 81G Towns.....	50,000
Iowa 40K Marion.....	75,000
Kansas 49A Cheyenne.....	313,000
Michigan 5M Lenawee.....	125,000
Michigan 40P Allegan.....	375,000
Oklahoma 33A Latimer.....	305,000
Oklahoma 35A Haskell.....	305,000

[SEAL] WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 46-1500; Filed, Jan. 28, 1946;
11:09 a. m.]

FEDERAL COMMUNICATIONS COM- MISSION.

[Docket No. 6633]

VALLEY BROADCASTING CO.

NOTICE OF HEARING

In re application of Myron E. Kluge and Dean H. Wickstrom, a partnership d/b as Valley Broadcasting Company

(New); Date Filed, May 5, 1944; for Construction Permit; Class of service, Broadcast; Class of station, Broadcast; Location, Pomona, Calif.; Operation assignment specified: Frequency, 1600 kc; Power, 500 w; Hours of Operation, Unlimited; File No. B5-P-3610.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of James F. Hopkins, Inc. (File No. B2-P-3291; Docket No. 6230), Sabine Area Broadcasting Corp. (File No. B3-P-4011; Docket No. 6823), WOOP, Incorporated (File No. B2-P-3987; Docket No. 6824), Charlotte Broadcasting Co. (File No. B3-P-3847; Docket No. 6825), Burlington-Graham Broadcasting Co. (File No. B3-P-4026; Docket No. 6826), McClatchy Broadcasting Co. (File No. B5-P-3800; Docket No. 6827), United Broadcasting Co., Inc. (File No. B3-P-3695; Docket No. 6828), Roy A. Lundquist and D. G. Wilde, copartners, doing business as The Skagit Valley Broadcasting Co. (File No. B5-P-4050; Docket No. 6829), The Gazette Company (File No. B4-P-4162; Docket No. 6830), Long Island Broadcasting Corp. (WWRL) (File No. B1-P-4163; Docket No. 6831), San Juan Broad-casters, Inc. (File No. B5-P-4066; Docket No. 6832), Piedmont Carolina Broadcasting Co., Inc. (File No. B3-P-4164; Docket No. 6833), and Capitol Radio Corp. (File No. B4-P-3706; Docket No. 6712) on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant partnership, and of its members, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the extent and character of other broadcast services available to those areas and populations.

3. To determine the type of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the populations included in the predicted 250 mv/m and 500 mv/m contours of the station would exceed the blanket area maximum permitted under the Commission's Standards of Good Engineering Practice, and whether the installation and operation of the proposed station would otherwise be in compliance with the said standards.

5. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

6. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

7. To determine the most efficient and equitable manner in which the 1600 kc. regional frequency may be utilized.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Myron E. Kluge and Dean H. Wickstrom,
d/b as Valley Broadcasting Co.,
P. O. Box 495,
Pomona, California.

Dated at Washington, D. C., January 14, 1946.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-1549; Filed, Jan. 28, 1946;
11:28 a. m.]

[Docket No. 6712]

CAPITOL RADIO CORP.

NOTICE OF HEARING

In re application of Capitol Radio Corporation (new); date filed, September 27, 1944; for construction permit; class of service, broadcast; class of station, broadcast; location, Des Moines, Iowa; operating assignment specified: Frequency, 1600 kc; power, 1 kw; hours of operation, unlimited; File No. B4-P-3706.

You are hereby notified that the Commission has re-examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of James F. Hopkins, Inc. (File No. B2-P-3291; Docket No. 6230), Sabine Area Broadcasting Corp. (File No. B3-P-4011; Docket No. 6823), WOOP, Incorporated (File No. B2-P-3987; Docket No. 6824), Charlotte Broadcasting Co. (File No. B3-P-3847; Docket No. 6825), Burlington-Graham Broadcasting Co. (File No. B3-P-4026; Docket No. 6826), McClatchy Broadcasting Co. (File No. B5-P-3800; Docket No. 6827), United Broadcasting Co., Inc. (File No. B3-P-3695; Docket No. 6828), Roy A. Lundquist and D. G. Wilde, co-partners, doing business as The Skagit Valley Broadcasting Co. (File No. B5-P-4050; Docket No. 6829), The Gazette Company (File No. B4-P-4162; Docket No. 6830), Long Island Broadcasting Corp. (WWRL) (File No. B1-P-4163; Docket No. 6831), San Juan Broadcasters, Inc. (File No. B5-P-4066; Docket No. 6832), Piedmont Carolina Broadcasting Co., Inc. (File No. B3-P-4164; Docket No. 6833), Myron E. Kluge and Dean H. Wickstrom, a partnership, doing business as Valley Broadcasting

Co. (File No. B5-P-3610; Docket No. 6633), on the following amended issues:

1. To determine the legal, technical, financial and other qualifications of the applicant, and its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the extent and character of other broadcast services available to those areas and populations.

3. To determine the type of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To obtain full information concerning the applicant's proposals for employment of personnel in the operation of the proposed station.

5. To obtain full information with respect to the interests which the applicant or any of its officers, directors or stockholders, hold in other standard broadcast stations.

6. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast station, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

7. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

8. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations, and in particular whether the populations included in the predicted 250 mv/m and 500 mv/m contours of the station would exceed the blanket area maximum permitted under the Commission's standards.

9. To determine the most efficient and equitable manner in which the 1600 kc regional frequency may be utilized.

10. To determine on a comparative basis which if any of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Capitol Radio Corporation,
c/o Mr. William J. Friedman,
231 South LaSalle Street, Room 963,
Chicago 4, Illinois.

Dated at Washington, D. C., January 14, 1946.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-1548; Filed, Jan. 28, 1946;
11:28 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-690]

WEST TEXAS GAS CO.

ORDER FIXING DATE OF HEARING

JANUARY 24, 1946.

Upon consideration of the application filed on December 20, 1945, by West Texas Gas Company for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize the construction and operation of facilities to be used in connection with its transportation and sale of natural gas in interstate commerce for resale, comprised of a water softening plant and an earthen settling basin and drain line at its Gasoline Plant in Potter County, Texas.

The Commission orders that:

(A) A public hearing be held commencing on February 7, 1946, at 10:00 a. m. (e. s. t.) in the Commission's Hearing Room at 1757 K Street NW., Washington, D. C., concerning the matters involved and the issues presented in this proceeding;

(B) Interested state commissions may participate in this hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 46-1474; Filed, Jan. 28, 1946;
9:45 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 5555]

FERDINAND KUHNE ET AL.

In re: Ferdinand Kuhne et al., plaintiffs; vs. Edward Lorbeer et al., defendants; File D-28-9843; E. T. sec. 13884.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of William Kuhne, Paul Kuhne, Marie Kuhne, Hedwig Kuhne and Hedwig Bollfrasz, and each of them, in and to the proceeds of the real estate sold pursuant to court order in a partition suit entitled "Ferdinand Kuhne et al., Plaintiffs, vs. Edward Lorbeer et al., Defendants, No. 12961" in the District Court of Dodge County, Nebraska,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

William Kuhne, Germany.
 Paul Kuhne, Germany.
 Marie Kuhne, Germany.
 Hedwig Kuhne, Germany.
 Hedwick Bollfras, Germany.

That such property is in the process of administration by William H. Lamme, Fremont, Nebraska, as Referee acting under the judicial supervision of the District Court of Dodge County, Nebraska;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1, a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 7, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-1373; Filed, Jan. 25, 1946;
 10:23 a. m.]

[Vesting Order 5561]

FREDERICKA K. SCHOLLER

In re: trust under the will of Fredericka K. Scholler, deceased; File D-28-2501; E. T. sec. 3674.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Marie Salbach geb Marie Ulrich and Marie Ulrich, and

each of them, in and to the trust under the will of Fredericka K. Scholler, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Marie Salbach geb Marie Ulrich, Germany.
 Marie Ulrich, Germany.

That such property is in the process of administration by The Harter Bank & Trust Company, Canton 2, Ohio, as Trustee of the Trust under the Will of Fredericka K. Scholler, Deceased, acting under the judicial supervision of the Probate Court of Stark County, Ohio;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 7, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-1374; Filed, Jan. 25, 1946;
 10:23 a. m.]

[Vesting Order 5565]

WILHELMINE WETTLAUER

In re: Estate of Wilhelmine Wettlaufer, deceased; File D-28-9630; E. T. sec. 13368.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Mrs. Johanna Beckman, Carl Fricke and Helene Kreikenbohm, and each of them, in and to the estate of Wilhelmine Wettlaufer, deceased, and in and to the trusts created under the Will of Wilhelmine Wettlaufer,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Mrs. Johanna Beckman, Germany.
 Carl Fricke, Germany.
 Helene Kreikenbohm, Germany.

That such property is in the process of administration by Louis Totzke, 4210 Mitchell Avenue, Detroit, Michigan, as Executor and Trustee of the estate of Wilhelmine Wettlaufer, deceased, acting under the judicial supervision of the Probate Court for the County of Wayne, Michigan;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 7, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-1375; Filed Jan. 25, 1946;
 10:23 a. m.]

[Vesting Order 5606]

MERCK, FINCK & Co.

In re: Bank account owned by Merck, Finck & Co.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Merck, Finck & Co., the last known address of which is Pfandhausstr. 4, Munich, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Merck, Finck & Co., by The National City Bank of New York, 55 Wall Street, New York, New York, arising out of a checking account, Account Number 1363, entitled Merck, Finck & Co., and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9095, as amended.

Executed at Washington, D. C., on January 9, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-1376; Filed, Jan. 25, 1946;
10:23 a. m.]

No. 20—4

[Vesting Order 5613]

ELLY NEY

In re: Bank account owned by Elly Ney.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Elly Ney, whose last known address is Kaiserplatz 2, Bonn, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Elly Ney, by Chemical Bank & Trust Company, 165 Broadway, New York, New York, arising out of a savings account, Number C-4851, entitled Mme. Elly Ney, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on January 9, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-1377; Filed, Jan. 25, 1946;
10:24 a. m.]

[Vesting Order 5614]

JOSEPHINE NISCH

In re: Bank account owned by Josephine Nisch.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Josephine Nisch, whose last known address is Holststrasse 6, Saulgau, Wuerttemberg, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Josephine Nisch, by The National City Bank of New York, New York, New York, arising out of a Compound Interest Department Account, entitled Josephine Nisch, maintained at the branch office of the aforesaid bank located at 17 East 42nd Street, New York, New York, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an

admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 10, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-1378; Filed, Jan. 25, 1946;
10:24 a. m.]

[Vesting Order 5615]

YASUO NISHINO

In re: Bank account owned by Yasuo Nishino.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Yasuo Nishino whose last known address is Japan, is a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Yasuo Nishino, by Corn Exchange Bank Trust Company, 13 William Street, New York, New York, arising out of a dollar account, entitled Y. Nishino, maintained at the branch office of the aforesaid bank located at 385 Fifth Avenue, New York, New York, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as

may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on January 10, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-1379; Filed, Jan. 25, 1946;
10:24 a. m.]

[Vesting Order 5616]

NORDDEUTSCHE KREDITBANK, A. G.

In re: Bank account owned by Norddeutsche Kreditbank, A. G.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Norddeutsche Kreditbank, A. G., the last known address of which is Alterwall 32, Hamburg, 11, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Norddeutsche Kreditbank, A. G., by Chemical Bank & Trust Company, 165 Broadway, New York, New York, arising out of a dollar account, entitled Norddeutsche Kreditbank Aktiengesellschaft—Account No. 1, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 10, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-1380; Filed, Jan. 25, 1946;
10:24 a. m.]

[Vesting Order 5617]

NORDDEUTSCHE KREDITBANK, A. G.

In re: Bank account owned by Norddeutsche Kreditbank, A. G.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation:

1. Having found and determined in Supplemental Vesting Order Number 2586, dated November 17, 1943, that Norddeutsche Kreditbank, A. G., is a national of a designated enemy country (Germany);

2. Finding that the property described as follows: That certain debt or other obligation owing to Norddeutsche Kreditbank, A. G., by Chemical Bank & Trust Company, 165 Broadway, New York, New York, arising out of a dollar account entitled Norddeutsche Kreditbank A. G., Account No. 2, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in

whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on January 10, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-1381; Filed, Jan. 25, 1946;
10:24 a. m.]

[Vesting Order 5618]

NOBUO OBATA

In re: Bank account owned by Nobuo Obata.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Nobuo Obata, whose last known address is 13 Aoba-Cho-Shibuya, Tokyo, Japan, is a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Nobuo Obata, by Manufacturers Trust Company, New York, New York, arising out of a dollar account, entitled Mr. Nobuo Obata, maintained at the branch office of the aforesaid bank located at 741-5th Avenue, New York, New York, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of,

any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 10, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-1382; Filed, Jan. 25, 1946;
10:25 a. m.]

[Vesting Order 5619]

OBERMAIER & CIE.

In re: Bank account owned by Obermaier & Cie.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Obermaier & Cie., the last known address of which is Neustadt, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Obermaier & Cie., by Corn Exchange Bank Trust Company, New York, New York, arising out of a dollar account, entitled Obermaier & Cie., maintained at the branch office of the aforesaid bank located at 375 East 149th Street, Bronx, New York, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an ap-

propriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 10, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-1383; Filed, Jan. 25, 1946;
10:25 a. m.]

[Vesting Order 5620]

OLDENBURGISCHE LANDESBANK, A. G.

In re: Bank accounts owned by Oldenburgische Landesbank, A. G.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Oldenburgische Landesbank, A. G., the last known address of which is Oldenburg I. O., Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: a. That certain debt or other obligation owing to Oldenburgische Landesbank, A. G., by The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, arising out of a dollar checking account, entitled Oldenburgische Landesbank, A. G., and any and all rights to demand, enforce and collect the same,

b. That certain debt or other obligation owing to Oldenburgische Landesbank, A. G., by The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, arising out of an unclaimed deposit account, entitled Oldenburgische Landesbank, A. G., and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on January 10, 1946

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-1384; Filed, Jan. 25, 1946;
10:25 a. m.]

[Vesting Order 5621]

ONE HUNDREDTH BANK, LTD.

In re: Bank account owned by One Hundredth Bank, Ltd.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That One Hundredth Bank, Ltd., the last known address of which is Tokyo, Japan, is a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to One Hundredth Bank, Ltd., by Chemical Bank & Trust Company, 165 Broadway, New York, N. Y., arising out of a foreign drafts outstanding account, entitled The One Hundredth Bank, Ltd., and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 10, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-1385; Filed, Jan. 25, 1946;
10:25 a. m.]

[Vesting Order 5622]

ONE HUNDREDTH BANK, LTD.

In re: Bank account owned by One Hundredth Bank, Ltd.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That One Hundredth Bank, Ltd., the last known address of which is Tokyo, Japan, is a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to One Hundredth Bank, Ltd., by Chemical Bank & Trust Company, 165 Broadway, New York, N. Y., arising out of a dollar account, entitled The One Hundredth Bank, Ltd., and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 10, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-1386; Filed, Jan. 25, 1946;
10:25 a. m.]

[Vesting Order 5623]

ONE HUNDREDTH BANK, LTD.

In re: Bank account owned by One Hundredth Bank, Ltd.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That One Hundredth Bank, Ltd., the last known address of which is Tokyo, Japan, is a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to One Hundredth Bank, Ltd., by Manufacturers Trust Company, 55 Broad Street,

New York, N. Y., arising out of a dollar account, entitled The One Hundredth Bank, Ltd., and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on January 10, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-1387; Filed, Jan. 25, 1946;
10:26 a. m.]

[Vesting Order 5626]

PLAUENER BANK, A. G.

In re: Bank accounts owned by Plauener Bank, Aktiengesellschaft.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Plauener Bank, Aktiengesellschaft, the last known address of which is Briefach

57, Plauen i. v., Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation owing to Plauener Bank, Aktiengesellschaft, by The Chase National Bank of the City of New York, 18 Pine Street, New York, N. Y., arising out of a dollar checking account, entitled Plauener Bank, Aktiengesellschaft, and any and all rights to demand, enforce and collect the same,

b. That certain debt or other obligation owing to Plauener Bank, Aktiengesellschaft, by The Chase National Bank of the City of New York, 18 Pine Street, New York, N. Y., arising out of an unclaimed deposit account, entitled Plauener Bank, Aktiengesellschaft, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 10, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-1388; Filed, Jan. 25, 1946;
10:26 a. m.]

[Vesting Order 5632]

WILLIAM H. RIEGER

In re: Bank account owned by William H. Rieger.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That William H. Rieger, whose last known address is Baderstrasse 14 Leobschütz, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows:

That certain debt or other obligation owing to William H. Rieger, by Manufacturers Trust Company, New York, N. Y., arising out of a Special Interest Account, Account Number 421, entitled William H. Rieger, maintained at the branch office of the aforesaid bank located at 1513 First Avenue, New York, N. Y., and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 10, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-1389; Filed, Jan. 25, 1946;
10:26 a. m.]

[Vesting Order 5633]

HOPF RINGLER & CO.

In re: Bank account owned by Hopf Ringler & Co.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Hopf Ringler & Co., the last known address of which is 82 Gardeschuetzenweg, Lichterfelde, Berlin, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Hopf Ringler & Co., by Corn Exchange Bank Trust Company, 13 William Street, New York, N. Y., arising out of a dollar account, entitled Hopf Ringler & Co., and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein

shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 10, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-1390; Filed, Jan. 25, 1946;
10:26 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 598, Order 6]

GIBSON REFRIGERATOR CO.

APPROVAL OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 13 of Maximum Price Regulation No. 598, it is ordered:

(a) Distributors selling new household mechanical refrigerators manufactured by the Gibson Refrigerator Company, Greenville, Michigan, may increase their ceiling prices, properly determined under section 14 of Maximum Price Regulation No. 598, by \$2.00 per refrigerator if they sell such refrigerators with the manufacturer's five year warranty on the complete refrigerating system.

(b) At the time of, or prior to the first invoice to each distributor, the manufacturer shall notify him of the method of establishing distributors' ceiling prices set by this order. This notice may be given in any convenient form.

(c) All the provisions of Maximum Price Regulation No. 598 continue to apply to all sales and deliveries of refrigerators covered by this order except to the extent that those provisions are modified by this order.

(d) Unless the context requires otherwise, the definitions set forth in Maximum Price Regulation No. 598 shall apply to the terms used herein.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 26th day of January, 1946.

Issued this 25th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-1411; Filed, Jan. 25, 1946;
11:17 a. m.]

[SO 119, Order 64]

THE OSBORNE REGISTER CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register; and pursuant to Supplementary Order No. 119, it is ordered:

(a) *Manufacturer's maximum prices.* The Osborne Register Company, of 1044 Gilbert Avenue, Cincinnati 2, Ohio, may increase its maximum prices in effect immediately prior to the issuance of this order for sales of the commercial food equipment which it manufactures, by 22.2 percent, provided the amount of

such increase is separately stated on each invoice, or other written evidence of sale, as an adjustment charge.

(b) *Maximum prices of purchasers for resale.* A person who hereafter buys an article covered by this order and resells it in substantially the same form may collect from his customer, in addition to his properly established maximum price in effect immediately before this order was issued, an adjustment charge in the same amount as the adjustment charge, herein authorized for, and which he pays to, his supplier. If he does not have a maximum price in effect for the article at the time this order was issued, he may add the same adjustment charge to the maximum price which he hereafter establishes for his sales under the applicable regulation. If the applicable regulation requires the maximum price to be computed on the basis of cost, the reseller must find his maximum resale price (not including the permitted adjustment charge) by using as cost his invoice cost less any adjustment charge stated on the invoice as a separate amount. On all other sales other than sales to ultimate consumers this adjustment charge may be made and collected only if it is separately stated on each invoice.

(c) *Terms of sale.* Maximum prices adjusted by this order are subject to each seller's terms, discounts, allowances, and other price differentials in effect during March, 1942, or which have been properly established under the applicable OPA regulation.

(d) *Notification.* At the time of, or prior to, the first invoice to a purchaser for resale, showing a price adjusted in accordance with the terms of this order, the seller shall notify the purchaser in writing of the methods established in paragraph (b) of this order for determining adjusted maximum prices for resales of the articles covered by this order. This notice may be given in any convenient form.

(e) *Revocation or amendment.* This order may be revoked or amended by the Price Administrator at any time.

(f) *Effective date.* This order shall become effective on the 26th day of January 1946.

Issued this 25th day of January 1946.

RICHARD H. FIELD,
Acting Administrator.

[F. R. Doc. 46-1463; Filed, Jan. 25, 1946;
4:29 p. m.]

[RMPR 136, Order 576]

AMERICAN CONDENSER CO.

APPROVAL OF MAXIMUM PRICES

Order No. 576 under Revised Maximum Price Regulation No. 136. Machines, parts and industrial equipment. American Condenser Company. (Docket No. 6083-136.21-565.)

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 21 of Revised Maximum Price Regulation No. 136, it is ordered:

(a) The maximum prices for sales by the American Condenser Company, Chi-

cago, Illinois, of its prices of electrolytic and paper condensers (other than those designed for automotive use) shall be as follows: The manufacturer shall compute its prices under the provisions of section 19 (i) (3) of Revised Maximum Price Regulation No. 136, substituting the figure 17.5% for the percentage applicable to the part being priced which is set forth in that section.

(b) In the event that any item covered by this order has been modified or substantially changed since October 1, 1941, the manufacturer shall apply the increase factor granted in the preceding paragraph in accordance with the provisions of section 19 (i) (3) (ii) of Revised Maximum Price Regulation No. 136.

(c) The maximum prices for sales by resellers of the items described in paragraph (a) shall be determined as follows: The reseller shall increase the maximum net prices he had in effect to a purchaser of the same class, just prior to the issuance of this order, by the same percentage by which his net invoiced cost has been increased by reason of this order.

(d) The American Condenser Company shall notify each person who buys the items listed in paragraph (a) of the percentage increase which this order permits the reseller to increase his maximum net prices. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, D. C.

(e) All requests not granted herein are denied.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 26, 1946.

Issued this 25th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-1440; Filed, Jan. 25, 1946;
4:29 p. m.]

[MPR 188, Order 119 Under Order A-2]

SKI-SPRED CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to paragraph (a) (16) of Order A-2 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* The Ski-Spred Company, 5000 Broadway, New York 34, New York, may increase its current maximum prices in effect on the effective date of the order to each class of purchaser, for the articles listed below by the percent of increase set forth after each article:

Article and Model No.	Percent of increase
Ski-Spred, 100.....	18.4
Ski-Clamp, 200.....	67.4
Ski-Spred & Ski-Clamp Sets, 300.....	35.6
Ski-Spred, Jr., 110.....	17.8
Ski-Clamp, 210.....	28.3
Ski-Spred, Jr. & Ski-Clamp Sets, 310.....	21.6
Ski-Clamp Spec., 220.....	41.5

(b) *Ceiling prices of purchasers for resale.* Purchasers for resale of such

articles which the manufacturer has sold at adjusted maximum prices shall determine their ceiling prices as follows:

(1) A purchaser for resale who delivered or offered for delivery during March 1942 any article which meets the definition of "most comparable article" contained in § 1499.3 (a) of the General Maximum Price Regulation, except that it need not be currently offered for sale shall calculate his ceiling price by adding to his invoice cost the same markup which he had on that comparable article, according to the method and procedure set forth in that section.

The determination of a ceiling price in this way need not be reported to the Office of Price Administration; however, each seller must keep complete records showing all the information called for by OPA Form 620-759 with regard to how he determined his ceiling price, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(2) If a purchaser for resale cannot determine his ceiling price under the above method, he shall apply to the Office of Price Administration for the establishment of his ceiling price under § 1499.3 (c) of the General Maximum Price Regulation. Ceiling prices established under that section will reflect the supplier's prices adjusted in accordance with this order.

(3) Ceiling prices of purchasers for resale, adjusted by this paragraph, are subject to each seller's customary terms, discounts, allowances and other price differentials on sales to each class of purchaser in effect during March 1942, or established under any applicable OPA regulation.

(c) *Notification.* At the time of, or prior to, the first invoice to a purchaser for resale showing a ceiling price adjusted in accordance with the terms of this order, the seller shall notify each purchaser in writing of the adjusted ceiling prices for resales of the articles covered by this order. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) *Effective date.* This order shall become effective on January 26, 1946.

Issued this 25th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-1445; Filed, Jan. 25, 1946;
4:29 p. m.]

[MPR 188, Rev. Order 4405]

McALEER MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, it is ordered:

Order No. 4405 is amended and revised to read as follows:

(a) This order establishes maximum prices for sales and deliveries by McAleer

Manufacturing Company, P. O. Box 149, Rochester, Michigan, of a certain electric heater of its manufacture as follows:

(1) For all sales and deliveries to the classes of purchasers indicated below, the manufacturer's maximum prices are those set forth opposite the article:

Article	Model	Maximum prices for sales to—		
		Wholesalers (jobbers)	Retailers (3 units or more)	Retailers (less than 3 units)
Electric heater, fan type, 1100 watts.....	101	\$9.25	\$10.90	\$11.73

These maximum prices are for the articles described in the manufacturer's application dated July 12, 1945. They are f. o. b. factory, subject to a cash discount of 2% for payment in 10 days, net 30 days. They are exclusive of the Federal excise tax and apply to all sales and deliveries since MPR 188 became applicable.

(b) Manufacturer's prices fixed by this order may be increased in accordance with the provisions of Order No. 6 under § 1499.159e of Maximum Price Regulation No. 188.

(c) Manufacturer is required to calculate resellers' ceiling prices in accordance with the provisions of Order No. 6 under Maximum Price Regulation No. 188 and should notify resellers of their prices in accordance with the provisions of that order. Manufacturer is also required to tag the article with its retail ceiling price computed under Order No. 6.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 26th day of January 1946.

Issued this 25th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-1441; Filed, Jan. 25, 1946;
4:30 p. m.]

[MPR 188, Order 7 Under Order 4418]

THE HINSON MANUFACTURING CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to Order No. 4418 under § 1499.155b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices*

(1) The Hinson Manufacturing Company of Waterloo, Iowa may sell and deliver the articles listed below which it manufactures, to jobbers at prices no higher than its maximum prices for sales to jobbers in effect immediately prior to the issuance of this order, plus the appropriate one of the following adjustment charges:

AUTOMOBILE SEAT COVER

Universal seat covers

Description	Adjustment charge (per unit)
Club coupe, coach or sedan rear seat: Unit Nos. 400, 401, 403, 405, 406, 406B, 407, and 409.....	\$0.20
Sedan front seat: Unit Nos. 440, 445, 446, 447 and 448.....	.20
Coach front seats (Pullman type): Unit Nos. 450, 451, and 452.....	.20
Coupe, club coupe, or coach front seat (split back type): Unit Nos. 460, 465, 466, 467, and 468.....	.20
Tailor made seat covers	
Articles with a present list price of:	
\$7.50.....	.80
8.25.....	.70
14.50.....	1.60
15.75.....	1.60
16.50.....	1.60

(2) The Hinson Manufacturing Company may sell and deliver the articles listed below, which it manufactures, to Chevrolet Division of General Motors Corporation at prices no higher than its maximum prices for sale to that purchaser, in effect immediately prior to the issuance of this order, plus the appropriate one of the following adjustment charges:

TAILOR-MADE AUTOMOBILE SEAT COVERS

Part No. and description	Adjustment charge (per unit)
985812 2-door, complete.....	\$1.63
985813 4-door, complete.....	1.39
985814 Fleetline coupe—complete.....	1.51
985815 2-door front only.....	1.02
985816 4-door front only.....	.66
985817 Fleetline coupe, front only.....	1.03
985818 Sport coupe, complete.....	1.53

(b) *Maximum Prices of purchasers for resale.* Purchasers for resale of such articles, which the manufacturer has sold at adjusted maximum prices, shall determine their maximum resale prices, as follows:

(1) A purchaser for resale who delivered or offered for delivery during March 1942 an article which meets the definition of "most comparable commodity" contained in § 1499.3 (a) of the General Maximum Price Regulation, except that it need not be currently offered for sale, shall determine his maximum resale price by adding to his invoice cost the same markup which he had on that comparable article, according to the method and procedure set forth in that section.

The determination of a maximum resale price in this way need not be reported to the Office of Price Administration. However, each seller must keep complete records showing all the information called for on OPA Form 620-759, with regard to how he determines his maximum resale price, for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(2) If a purchaser for resale cannot determine his maximum resale price under the above method, he shall apply to the Office of Price Administration for the establishment of his maximum resale price under § 1499.3 (c) of the General Maximum Price Regulation. Maximum resale prices established under that section will reflect the supplier's prices adjusted in accordance with this order.

(c) *Terms of sale.* Maximum prices adjusted by this order are subject to each seller's terms, discounts, allowances, and other price differentials, in effect during March, 1942, or which have been properly established under the applicable OPA regulation.

(d) *Notification.* At the time of, or prior to the first invoice to a purchaser for resale, showing a price adjusted in accordance with the terms of this order, the seller shall notify the purchaser in writing of the methods established in paragraph (b) of this order for determining adjusted maximum prices for resale of the articles covered by this order. This notice may be given in any convenient form.

(e) *Revocation or amendment.* This order may be revoked or amended by the Price Administrator at any time.

(f) *Effective date.* This order shall become effective on the 26th day of January 1946.

Issued this 25th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-1442; Filed, Jan. 25, 1946;
4:30 p. m.]

[MPR 188, Order 4838]

IMPERIAL KNIFE CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.159c of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Imperial Knife Company, 14 Blount Street, Providence, R. I.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Jobbers	Chains and mail order houses	Other retailers	Consumers
Pocket knife, 2 blades 2½ inches, double bolsters, stag and colored handles.....	4775A	Doz- en \$3.00	Doz- en \$3.60	Doz- en \$4.00	Each \$0.50
Pocket knife, 3 blades 3 inches, colored and stag handles.....	4776	4.50	6.00	.75

These maximum prices are for the articles described in the manufacturer's application dated January 7, 1946 and January 9, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regula-

tion No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment in 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

Model No.
OPA Retail Ceiling Price \$.....
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 26th day of January, 1946.

Issued this 25th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-1443; Filed, Jan. 25, 1946;
4:30 p. m.]

[MPR 188, Order 4839]

AMERICAN SAFETY RAZOR CORP.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the American Safety Razor Corporation, Brooklyn 1, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Whole- sellers (jobbers)	Retailers full 10 pack- age carton	Retailers	Consum- ers
Singledge razor blades, 12 blades to package.....	Gem.....	Per pkg. \$0.32725	Per pkg. \$0.36575	Per pkg. \$0.385	Per pkg. \$0.49

These maximum prices are for the articles described in the manufacturer's application dated January 8, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to manufacturer's customary discounts and differentials.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, \$4.49 per pkg.
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 26th day of January 1946.

Issued this 25th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-1444; Filed, Jan. 25, 1946;
4:31 p. m.]

[MPR 254, Order 11]

O. F. MOSSBERG & SONS, INC.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion, issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to § 1379.4 of Maximum Price Regulation No. 254, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of four different models of rifles with Model S100 Sight substituted for Model No. 4 Sight manufactured by O. F. Mossberg & Sons, Inc., 131 St. John Street, New Haven 5, Conn.

(1) For all sales and deliveries to the following classes of purchasers by any

No. 20—5

person, the maximum prices are those set forth below:

MAXIMUM PRICES EAST OF ROCKY MOUNTAINS

Article	Model	To distributors	To dealers	Retail price
Rifle.....	42M	\$10.77	\$14.70	\$17.90
	46M	12.41	16.90	20.55
	46B	10.89	14.80	18.05
	51M	14.30	19.45	23.65

WEST OF ROCKY MOUNTAINS

Article	Model	To distributors	To dealers	Retail price
Rifle.....	42M	\$10.77	\$15.20	\$18.55
	46M	12.41	17.45	21.25
	46B	10.89	15.35	18.75
	51M	14.30	20.05	24.40

These prices include all adjustments permitted by Amendment 3 to Maximum Price Regulation 254.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 254 became applicable to those sales and deliveries.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries on and after the effective date of this order.

(4) The prices established by this order are subject to each seller's customary terms and conditions of sale on sales of similar articles to each class of purchaser. They include the adjustment of maximum prices permitted by § 1379.4a of Maximum Price Regulation No. 254.

(b) At the time of, or prior to, the first invoice to a purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum price and conditions established by this order for resales by the purchaser. This notice may be given in any convenient form.

(c) All provisions of Maximum Price Regulation No. 254 not inconsistent with the provisions of this order are applicable to the sales of the article for which maximum prices are established by this order.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 26th day of January 1946.

Issued this 25th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-1447; Filed, Jan. 25, 1946;
4:31 p. m.]

[MPR 260, Amdt. 1 to Order 599]

J. W. VAUGHN & SONS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered, That:*

The maximum prices for the "Galanto-Galanto De Luxe" cigars set forth in Paragraph (a) of Order No. 599 under Maximum Price Regulation No. 260, are amended to read as follows:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Galanto.....	Galanto De Luxe.	50	Per M \$90	Cents 2 for 15

This amendment shall become effective January 26, 1946.

Issued this 25th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-1448; Filed, Jan. 25, 1946;
4:32 p. m.]

[MPR 260, Order 2072]

LA BONITA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) La Bonita Cigar Company, 4520 W. Pico Boulevard, Los Angeles, Calif. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
La Bonita.....	Colonel.....	50	Per M \$90	Cents 12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the pack-

ing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 26, 1946.

Issued this 25th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-1449; Filed, Jan. 25, 1946;
4:31 p. m.]

[MPR 260, Order 2073]

BINGHAM CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Bingham Cigar Co., 162½ W. Union Street, Virginia, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Lotus Club.....	Lotus Club....	50	Per M \$60	Cents 2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order;

but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 26, 1946.

Issued this 25th d. of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-1450; Filed, Jan. 25, 1946;
4:31 p. m.]

[MPR 260, Order 2074]

W. H. DIETIKER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) W. H. Dietiker, 6-A Whitelaw, Wood River, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the approximate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Esposa.....	5-inch 1.....	50	Per M \$93.75	Cents 2 for 25

1 Prices are for this brand and size using all long filler Havana tobacco (Type 81) as specified in application.

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 26, 1946.

Issued this 25th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-1451; Filed, Jan. 25, 1946;
4:35 p. m.]

[MPR 260, Order 2075]

HARRY A. RUNKLE

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Harry A. Runkle, 10 Howard Street, Red Lion, Pa. (hereinafter called

"manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Bouquet Special	Perfecto.....	50	Per M \$72	Cents 9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 26, 1946.

Issued this 25th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-1452; Filed, Jan. 25, 1946;
4:31 p. m.]

[MPR 591, Amdt. 1 to Order 90]

CHICOPEE MFG. CORP.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, it is ordered:

(a) Paragraph (b) is amended to read as follows:

(b) *Jobbers maximum prices*—(1) *On sales to retailers.* The maximum delivered price for sales by jobbers to retailers of the following Lumite Plastic Insect Screen Cloth manufactured by the Chicopee Manufacturing Corporation of New Brunswick, New Jersey, shall be dollars-and-cents prices set forth below, plus actual freight paid to obtain delivery.

	Per 100 sq. ft.
16 x 16 mesh 15 gage plastic insect screen cloth.....	\$8.00
18 x 18 mesh 12 gage plastic insect screen cloth.....	7.65

This amendment shall become effective January 25, 1946.

Issued this 25th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-1453; Filed, Jan. 25, 1946;
4:32 p. m.]

[MPR 591, Order 246]

SLOAN VALVE CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 16 (c) of Maximum Price Regulation No. 591, it is ordered:

(a) *Adjustment of maximum prices for the Sloan Valve Company of Chicago, Illinois.* (1) The Sloan Valve Company may increase its properly established maximum prices for its line of flush valves in effect on January 25, 1946 to each class of purchaser by 17.0 percent.

(2) The Sloan Valve Company shall continue to extend discounts and allowances including transportation allowances and to render services which are at least as favorable as those which the Sloan Valve Company extended or rendered or would have extended or rendered to purchasers of the same class on sales of comparable quantities of these products during March 1942.

(b) *Maximum prices for resellers.* The maximum prices for sales by a reseller of any of the commodities for which adjustment is granted the Sloan Valve Company under this order shall be his maximum price to each class of

purchaser in effect on January 25, 1946, plus the actual dollar-and-cents increase in present acquisition costs resulting from the adjustment granted the Sloan Valve Company of Chicago, Illinois under this order.

(c) *Notification to all purchasers.* The Sloan Valve Company of Chicago, Illinois shall send the following notice to every purchaser of the commodities covered by this order at or before the time of the first billing after the adjustment granted by this order is put into effect:

Order No. 246 under section 16 (c) of Maximum Price Regulation No. 591 provides for increases in net prices for sales of flush valves manufactured by the Sloan Valve Company. Resellers may add the actual dollars-and-cents increase in their acquisition cost resulting from the adjustment granted the manufacturer to their existing maximum prices.

(d) All prayers of the application of the Sloan Valve Company not granted in this order are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 26, 1946.

Issued this 25th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-1455; Filed, Jan. 25, 1946;
4:33 p. m.]

[MPR 591, Order 245]

WEBER SHOWCASE AND FIXTURE CO., INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, it is ordered:

(a) *Maximum list prices for sales of specified items of refrigeration equipment by Weber Showcase and Fixture Company, Inc. of Los Angeles, California.*

(1) The maximum list prices for sales by Weber Showcase and Fixture Company, Inc. of refrigeration products including parts and accessories such as scales, hooks, racks, and stands (but not including those items listed in (2) below) manufactured by it shall be its currently established maximum net prices for such commodities on sales to distributors or jobbers multiplied by the factor 1.8182, and rounded to the nearest dollar.

(2) The maximum list prices for sales by Weber Showcase and Fixture Company, Inc. of frosted food cabinets including parts and accessories such as mirrors, signs and lights, manufactured by it shall be its currently established maximum net prices for such commodities on sales to distributors or jobbers multiplied by the factor 1.6667, and rounded to the nearest dollar.

(b) *Maximum net prices for sales by any person for the items listed in (a) above.* (1) The maximum net prices for sales by any person on sales to consumers shall be the list prices established in (a) (1) and (a) (2) above.

(2) The maximum net prices, for sales by any person on sales to dealers shall be the list prices established in (a) (1) and (a) (2) above reduced by 30 percent.

(3) The maximum net prices for sales by any person on sales to chain stores shall be:

(i) For the items covered in (a) (1) above, the list prices established in (a) (1) above reduced by 40 percent.

(ii) For the items covered in (a) (2) above, the list prices established in (a) (2) above reduced by 30 percent.

(4) The maximum net prices, for sales by any person on sales to "Weber financed" distributors or jobbers for the items covered in (a) (1) above shall be the list prices established in (a) (1) above reduced by 40 percent.

(5) The maximum net prices for sales by any person on sales to self-financing distributors or jobbers shall be:

(i) For the items covered in (a) (1) above, the list prices established in (a) (1) above reduced by 45 percent.

(ii) For the items covered in (a) (2) above, the list prices established in (a) (2) above reduced by 40 percent.

(c) *Terms and conditions.* (1) The maximum net prices established by this order shall be subject to cash discounts and allowances, not including transportation allowances, and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of commodities in the same general category on October 1, 1941 for Weber Showcase and Fixture Company, Inc., and during March 1942 for all other sellers.

(2) On sales by Weber Showcase and Fixture Company, Inc., the maximum net prices set forth in (b) above for the items enumerated in (a) (1) above shall be f. o. b. point of manufacture.

(3) A reseller, of the items enumerated in (a) (1) above may add to the maximum net prices set forth in (b) above, the actual amount of freight paid to obtain delivery to his place of business. Such charge shall not exceed the lowest common carrier rates and shall be stated separately on the invoice. The resulting price shall be his maximum net price f. o. b. his point of shipment.

(4) Each seller, including the manufacturer, of the items covered by (a) (2), as enumerated below, may add to the maximum net prices set forth in (b) above the following net delivery charges:

Model	Description	Shipping weights (in pounds)	Net delivery charges
H 455...	4 cubic foot frosted food cabinet.	500	\$5.00
H 705...	8.3 cubic foot frosted food cabinet.	600	6.00
S 1005...	11.0 cubic foot frosted food cabinet.	750	7.50
D 1205...	12.0 cubic foot frosted food cabinet.	800	8.00
D 2005...	20.0 cubic foot frosted food cabinet.	1,050	10.50
D 2805...	28.00 cubic foot frosted food cabinet.	1,400	14.00

(5) Weber Showcase and Fixture Company, Inc. shall submit to the Build-

ing Materials and Construction Price Branch of the Office of Price Administration, Washington 25, D. C., within fifteen days following each calendar quarter a report setting forth the following information:

(i) Total weight of all frosted food cabinets shipped during the calendar quarter.

(ii) The total amount collected during the calendar quarter under the provisions of (c) (4) above.

(iii) The amounts of actual freight paid out on prepaid shipments of frosted food cabinets together with the actual amounts credited to purchasers on collect shipments.

(6) *Notification to all purchasers.* Weber Showcase and Fixture Company, Inc. shall notify each of its purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices stated in dollars-and-cents established by this order for Weber Showcase and Fixture Company, Inc. as well as the maximum prices stated in dollars-and-cents established for purchasers upon resale, including allowable transportation charges.

(7) Each seller shall post in a conspicuous location in his place of business, the maximum dollars-and-cents consumer prices established for each commodity covered by this order.

(8) Within 30 days after Weber Showcase and Fixture Company, Inc. places on the market any commodity covered by this order, the company shall submit to the Building Materials and Construction Price Branch of the Office of Price Administration, Washington 25, D. C. the maximum prices computed under this order for each class of reseller, also maximum prices to consumers and the method of notification employed.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 26, 1946.

Issued this 25th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-1454; Filed, Jan. 25, 1946;
4:32 p. m.]

[MPR 591, Order 247]

MOREL FOUNDRY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591; It is ordered:

(a) The maximum net delivered prices, on sales to consumers by any person of the following Fireplace Dampers manufactured by the Morel Foundry of Seattle, Washington and as described in the application dated December 18, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Model No.	Fireplace size (inches)	Maximum net con- sumer price
L24.....	24	\$7.50
L30.....	30	8.50
L36.....	36	10.00
L40.....	40	11.50
L44.....	44	15.00
L48.....	48	16.00
H26.....	26	8.40
H32.....	32	10.50
H36.....	36	12.00
H40.....	40	13.50
H46.....	46	16.00
H48.....	48	17.50

(b) The maximum net prices, f. o. b. point of shipment, on sales to jobbers or distributors by any person of the items covered by this order shall be the net prices set forth in (a) above reduced by 50 percent.

(c) The maximum net prices, f. o. b. point of shipment on sales to retailers by any person of the items covered by this order shall be the net prices set forth in (a) above reduced by 33 1/3 percent.

(d) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of commodities in the same general category during March 1942.

(e) Each seller covered by this order, except on sales to consumers, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 26, 1946.

Issued this 25th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-1456; Filed, Jan. 25, 1946;
4:33 p. m.]

[MPR 591, Order 248]

C. O. JELLIFF MFG. CORP.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, it is ordered:

(a) *Manufacturer's maximum prices.* The maximum net prices, f. o. b. point of shipment, for sales by the C. O. Jelliff Manufacturing Corporation of 16 x 16 Mesh Al-Clad Aluminum Wire Insect Screen Cloth manufactured by it and as described in the application which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

(1) On sales to jobbers.

Carload quantities.....	Per 100 sq. ft.
Less-than-carload quantities.....	\$5.83
On direct shipments.....	6.00
	6.18

(2) On sales to retailers. The maximum delivered price for sales to retailers shall be: \$7.50 per 100 square feet.

(b) *Jobber's maximum prices.* The maximum delivered price for sales by jobbers of 16 x 16 Mesh Al-Clad Aluminum Wire Insect Screen Cloth manufactured by the C. O. Jelliff Manufacturing Corporation shall be: \$7.50 per 100 square feet plus actual incoming freight paid to obtain delivery.

(c) *Retailer's maximum prices.* The maximum price for sales by retailers of 16 x 16 Mesh Al-Clad Aluminum Wire Insect Screen Cloth manufactured by C. O. Jelliff Manufacturing Corporation, shall be:

	Cents per square foot
On sales in 100 linear feet rolls.....	9
On sales in less than 100 linear feet rolls.....	10

(d) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(e) Each seller covered by this order, except a retailer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 26, 1946.

Issued this 25th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-1457; Filed, Jan. 25, 1946;
4:33 p. m.]

[MPR 591, Order 249]

CORY-JAMESTOWN MFG. CORP.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591; It is ordered:

(a) The maximum net prices on sales to consumers and distributors by any person of the following sizes of Steel Combination Screen and Storm Windows manufactured by the Corry-Jamestown Manufacturing Corporation of Corry, Pennsylvania, and as described in the application dated October 22, 1945 which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be the following prices:

Glass size	Maximum net prices on sales to consumers	Maximum net prices on sales to distributors	Maximum net prices additions to consumer prices for top screen or deductions from consumer prices for commission of bottom screen	Glass size	Maximum net prices on sales to consumers	Maximum net prices on sales to distributors	Maximum net prices additions to consumer prices for top screen or deductions from consumer prices for commission of bottom screen
16 x 16	\$16.20	\$8.42	\$1.36	32 x 16	\$19.70	\$10.24	\$1.84
16 x 18	16.77	8.72	1.42	32 x 18	20.40	10.61	1.90
16 x 20	17.34	9.02	1.48	32 x 20	21.10	10.97	1.96
16 x 22	17.91	9.31	1.60	32 x 22	21.80	11.34	2.07
16 x 24	18.48	9.61	1.66	32 x 24	22.50	11.70	2.13
16 x 26	19.05	9.91	1.72	32 x 26	23.20	12.06	2.19
16 x 28	19.62	10.20	1.79	32 x 28	23.90	12.43	2.29
16 x 30	20.19	10.50	1.84	32 x 30	24.60	12.79	2.31
16 x 32	20.76	10.80	1.90	32 x 32	25.30	13.16	2.37
16 x 34	21.33	11.09	1.96	32 x 34	26.00	13.52	2.43
16 x 36	21.90	11.39	2.02	32 x 36	26.70	13.88	2.49
18 x 16	16.45	8.55	1.42	34 x 16	20.20	10.50	1.90
18 x 18	17.02	8.85	1.48	34 x 18	20.90	10.87	1.96
18 x 20	17.59	9.15	1.54	34 x 20	21.60	11.23	2.02
18 x 22	18.18	9.45	1.66	34 x 22	22.30	11.60	2.13
18 x 24	18.73	9.74	1.72	34 x 24	23.00	11.96	2.19
18 x 26	19.30	10.04	1.79	34 x 26	23.70	12.32	2.29
18 x 28	19.87	10.33	1.83	34 x 28	24.40	12.69	2.31
18 x 30	20.44	10.63	1.90	34 x 30	25.10	13.05	2.37
18 x 32	21.01	10.93	1.96	34 x 32	25.80	13.42	2.43
18 x 34	21.58	11.22	2.02	34 x 34	26.50	13.78	2.49
18 x 36	22.15	11.52	2.07	34 x 36	27.20	14.14	2.55
20 x 16	16.95	8.81	1.48	36 x 16	20.70	10.76	1.96
20 x 18	17.50	9.10	1.54	36 x 18	21.42	11.14	2.02
20 x 20	18.05	9.39	1.60	36 x 20	22.14	11.51	2.07
20 x 22	18.60	9.67	1.72	36 x 22	22.86	11.89	2.19
20 x 24	19.15	9.96	1.79	36 x 24	23.58	12.26	2.29
20 x 26	19.70	10.24	1.83	36 x 26	24.30	12.64	2.31
20 x 28	20.25	10.53	1.90	36 x 28	25.02	13.01	2.37
20 x 30	20.80	10.82	1.96	36 x 30	25.74	13.38	2.43
20 x 32	21.35	11.10	2.02	36 x 32	26.46	13.76	2.49
20 x 34	21.90	11.39	2.07	36 x 34	27.18	14.13	2.55
20 x 36	22.45	11.67	2.13	36 x 36	27.90	14.51	2.61
22 x 16	17.55	9.13	1.54	38 x 16	21.20	11.02	2.02
22 x 18	18.09	9.41	1.60	38 x 18	21.90	11.39	2.07
22 x 20	18.63	9.69	1.66	38 x 20	22.60	11.75	2.13
22 x 22	19.17	9.97	1.79	38 x 22	23.30	12.11	2.29
22 x 24	19.71	10.25	1.84	38 x 24	24.00	12.48	2.31
22 x 26	20.25	10.53	1.90	38 x 26	24.70	12.84	2.37
22 x 28	20.79	10.81	1.96	38 x 28	25.40	13.21	2.43
22 x 30	21.33	11.09	2.02	38 x 30	26.10	13.57	2.49
22 x 32	21.87	11.37	2.07	38 x 32	26.80	13.94	2.55
22 x 34	22.41	11.65	2.13	38 x 34	27.50	14.30	2.61
22 x 36	22.95	11.93	2.19	38 x 36	28.20	14.66	2.67
24 x 16	17.80	9.26	1.60	40 x 16	21.70	11.28	2.07
24 x 18	18.37	9.55	1.66	40 x 18	22.40	11.65	2.13
24 x 20	18.94	9.85	1.72	40 x 20	23.10	12.01	2.19
24 x 22	19.51	10.15	1.84	40 x 22	23.80	12.38	2.31
24 x 24	20.08	10.44	1.90	40 x 24	24.50	12.74	2.37
24 x 26	20.65	10.74	1.96	40 x 26	25.20	13.10	2.43
24 x 28	21.22	11.03	2.02	40 x 28	25.90	13.47	2.49
24 x 30	21.79	11.33	2.07	40 x 30	26.60	13.83	2.55
24 x 32	22.36	11.63	2.13	40 x 32	27.30	14.20	2.61
24 x 34	22.93	11.92	2.19	40 x 34	28.00	14.56	2.67
24 x 36	23.50	12.22	2.25	40 x 36	28.70	14.92	2.74
26 x 16	18.30	9.52	1.66	42 x 16	22.30	11.60	2.13
26 x 18	18.87	9.81	1.72	42 x 18	23.00	11.96	2.19
26 x 20	19.44	10.11	1.79	42 x 20	23.70	12.32	2.29
26 x 22	20.01	10.41	1.90	42 x 22	24.40	12.69	2.37
26 x 24	20.58	10.70	1.96	42 x 24	25.10	13.05	2.43
26 x 26	21.15	11.00	2.02	42 x 26	25.80	13.42	2.49
26 x 28	21.72	11.29	2.07	42 x 28	26.50	13.78	2.55
26 x 30	22.29	11.59	2.13	42 x 30	27.20	14.14	2.61
26 x 32	22.86	11.89	2.19	42 x 32	27.90	14.51	2.67
26 x 34	23.43	12.18	2.29	42 x 34	28.60	14.87	2.74
26 x 36	24.00	12.48	2.31	42 x 36	29.30	15.24	2.80
28 x 16	18.60	9.67	1.72	44 x 16	22.80	11.86	2.19
28 x 18	19.25	10.01	1.79	44 x 18	23.50	12.22	2.29
28 x 20	19.90	10.35	1.84	44 x 20	24.20	12.58	2.31
28 x 22	20.55	10.69	1.96	44 x 22	24.90	12.95	2.43
28 x 24	21.20	11.02	2.02	44 x 24	25.60	13.31	2.49
28 x 26	21.85	11.36	2.07	44 x 26	26.30	13.68	2.55
28 x 28	22.50	11.70	2.13	44 x 28	27.00	14.04	2.61
28 x 30	23.15	12.04	2.19	44 x 30	27.70	14.40	2.67
28 x 32	23.80	12.38	2.29	44 x 32	28.40	14.77	2.74
28 x 34	24.45	12.71	2.31	44 x 34	29.10	15.13	2.80
28 x 36	25.10	13.05	2.37	44 x 36	29.80	15.50	2.86
30 x 16	19.20	9.98	1.79	46 x 16	23.80	12.12	2.29
30 x 18	19.87	10.33	1.84	46 x 18	24.50	12.48	2.31
30 x 20	20.54	10.68	1.90	46 x 20	25.20	12.84	2.37
30 x 22	21.21	11.03	2.02	46 x 22	25.90	13.21	2.49
30 x 24	21.88	11.38	2.07	46 x 24	26.60	13.57	2.55
30 x 26	22.55	11.73	2.13	46 x 26	27.30	13.94	2.61
30 x 28	23.22	12.07	2.19	46 x 28	28.00	14.30	2.67
30 x 30	23.89	12.42	2.29	46 x 30	28.70	14.66	2.74
30 x 32	24.56	12.77	2.31	46 x 32	29.40	15.03	2.80
30 x 34	25.23	13.12	2.37	46 x 34	30.10	15.39	2.86
30 x 36	25.90	13.47	2.43	46 x 36	30.80	15.76	2.92
31 x 16	19.80	10.30	1.82	48 x 16	23.80	12.28	2.31
31 x 18	20.46	10.64	1.88	48 x 18	24.50	12.64	2.37
31 x 20	21.12	10.98	1.93	48 x 20	25.20	13.01	2.43
31 x 22	21.78	11.33	2.06	48 x 22	25.90	13.37	2.55
31 x 24	22.44	11.67	2.12	48 x 24	26.60	13.73	2.61
31 x 26	23.10	12.01	2.17	48 x 26	27.30	14.10	2.67
31 x 28	23.76	12.36	2.23	48 x 28	28.00	14.46	2.74
31 x 30	24.42	12.70	2.29	48 x 30	28.70	14.82	2.80
31 x 32	25.08	13.04	2.35	48 x 32	29.40	15.19	2.86
31 x 34	25.74	13.38	2.41	48 x 34	30.10	15.55	2.92
31 x 36	26.40	13.73	2.47	48 x 36	30.80	15.92	2.98

Special windows. (1) Oriel or Cottage Type Windows—Use the price (enumerated above) of the glass size of the larger panel.

(2) One-light combination windows—Use the same price (enumerated above) as the nearest size standard two-light window.

(3) Other Special Sizes (not listed above)—Use price of next larger standard size plus 15 percent.

(b) The maximum net prices specified in (a) above on sales to distributors by any person shall be f. o. b. point of shipment.

(c) The maximum net prices specified in (a) above on sales to consumers by any person shall be net delivered prices.

(d) The maximum net delivered prices on sales to dealers by any person shall be the maximum net prices on sales to consumers reduced by 38 percent.

(e) The maximum net prices on sales to consumers established in (a) above may be increased by an amount equal to the actual cost of installation. When installation is actually supplied; however, under no circumstances may the installation charge exceed \$2.00 per window opening.

(f) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of commodities in the same general category during March 1942.

(g) Each seller covered by this order, except on sales to consumers, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale.

(h) The Corry-Jamestown Manufacturing Corporation shall attach a tag to each item covered by this order containing substantially the following information:

OPA Maximum Retail Price \$-----

Plus actual installation charges not exceeding \$2.00 per window opening.

(i) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 26, 1946.

Issued this 25th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-1458; Filed, Jan. 25, 1946;
4:34 p. m.]

[MPR 591, Order 250]

MAHL MFG. Co.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591; *It is ordered:*

(a) The maximum net prices for sales by any person of the Model A-50D gas-fired dual wall furnace manufactured by the Mahl Manufacturing Company of Huntington Park, California and described in its application which is on file with the Building Materials Price Branch of the Office of Price Administration, shall be:

	On sales to—		
	Distributors and jobbers	Retail dealers	Consumers
Model A-50D gas-fired dual wall furnace.....	\$99.17	\$110.18	\$137.75

(b) Except on sales to consumers, the maximum prices specified in (a) above are f. o. b. point of manufacture. On sales to consumers, the maximum price specified above is f. o. b. point of destination.

(c) The maximum net prices specified in (a) above shall be subject to discounts, allowances including transportation allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered during March 1942 to purchasers of the same class on sales of comparable quantities of commodities falling into the same general category of products as does the furnace covered by this order.

(d) The maximum prices authorized by this order reflect the increase permitted pursuant to the provisions of Amendment 4 to Order 48 under section 22 of Maximum Price Regulation No. 591, and may not be further increased under Order 48.

(e) The maximum price for sales on an installed basis of the furnace covered by this order shall be established in accordance with the provisions of Revised Maximum Price Regulation No. 251.

(f) Each seller, except on sales to consumers, shall notify in writing, each of his purchasers at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for such purchasers except a dealer upon resale.

(g) The Mahl Manufacturing Company shall stencil in a conspicuous place on the wall furnace covered by this order substantially the following:

OPA Maximum Retail Price \$137.75

As provided in Order No. 250 under Maximum Price Regulation No. 591.

(h) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 26, 1946.

Issued this 25th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-1459; Filed, Jan. 25, 1946;
4:34 p. m.]

[MPR 591, Order 251]

NATIONAL FURNACE Mfg. Co.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the provisions of section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum net prices for sales by any person of the following gas-fired floor furnaces manufactured by the National Furnace Manufacturing Company of Memphis, Tennessee and described in its application which is on file with the Building Materials Price Branch of the Office of Price Administration shall be:

	On sales to		
	Jobbers	Dealers	Consumers
Model No. 35 gas-fired floor furnace.....	\$48.44	\$51.47	\$60.55
Model No. 50 gas-fired floor furnace.....	54.00	58.01	68.25

(b) Except on sales to consumers, the maximum prices specified in (a) above are f. o. b. point of distribution. On sales to consumers, the maximum price specified above is f. o. b. point of destination.

(c) The maximum net prices specified in (a) above shall be subject to discounts, allowances including transportation allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered during March 1942 to purchasers of the same class on sales of comparable quantities of commodities falling into the same general category of products as do the floor furnaces covered by this order.

(d) The maximum prices authorized by this order reflect the increase permitted pursuant to the provisions of Amendment 4 to Order 48 under section 22 of Maximum Price Regulation No. 591, and may not be further increased under Order 48.

(e) The maximum prices for sales on an installed basis of the floor furnaces covered by this order shall be established in accordance with the provisions of Revised Maximum Price Regulation No. 251.

(f) Each seller, except on sales to consumers, shall notify, in writing each of his purchasers at or before the issuance of the first invoice after the effective date of this order of the maximum prices established by this order for each such seller as well as the maximum prices established for such purchasers except a dealer upon resale.

(g) The National Furnace Manufacturing Company shall stencil in a conspicuous place on each of the floor furnaces covered by the order substantially the following:

OPA Maximum Retail Price \$-----

As provided in Order 251 under Maximum Price Regulation No. 591.

(h) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 26, 1946.

Issued this 25th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-1460; Filed, Jan. 25, 1946;
4:34 p. m.]

[MPR 591, Order 252]

SUNROC REFRIGERATION CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, it is ordered:

(a) The maximum net prices, f. o. b. Glen Riddle, Pennsylvania, for sales by any person of the following electric water coolers, manufactured by the Sunroc Refrigeration Company of Glen Riddle, Pennsylvania, and as described in the application dated December 11, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Model No.	Dealer without service	Dealer with service	Consumer
NM1B	\$139.30	\$149.25	\$199.00
NM2B	164.50	176.25	235.00
NM3B	199.50	213.75	285.00
NM4B	245.00	262.50	350.00
US-8	147.00	157.50	210.00
US-18	164.50	176.25	235.00
A-1510	336.00	360.00	480.00
A-2216	367.50	383.75	525.00
A-2515	441.00	472.50	630.00
A-2520	472.50	504.25	675.00
A-2535	588.00	630.00	840.00
US-7B-2	127.00	136.25	181.50

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: \$6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales in the same general category on October 1, 1941.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (b) above.

(e) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, except dealers, including allowable transportation and crating charges.

(f) The Sunroc Refrigeration Company of Glen Riddle, Pennsylvania, shall stencil on the lid or cover of the electric water coolers, covered by this order, substantially the following:

OPA Maximum Retail Price \$-----

Plus freight and crating as provided in Order No. 252 under Maximum Price Regulation No. 591.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 26, 1946.

Issued this 25th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-1461; Filed, Jan. 25, 1946;
4:35 p. m.]

[MPR 594, Order 9]

CHRYSLER CORP.

APPROVAL OF MAXIMUM PRICES

NOTE: Amendment 1 to the opinion accompanying Order 9 under Maximum Price Regulation 594 was filed with the Division of the Federal Register as F.R. Doc. 46-1657 (NP), on January 25, 1946, at 4:32 p. m.

[SO 94, Order 99]

WAR ASSETS CORPORATION, ET AL.

SPECIAL MAXIMUM PRICES FOR CERTAIN WORK CLOTHES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, it is ordered:

(a) *What this order does.* This order establishes maximum prices at which the new work clothes hereinafter described may be sold and delivered by the War Assets Corporation or any other United States Government agency and by any subsequent reseller.

(b) *Maximum prices.* Maximum prices per unit for the new work clothes described herein shall be:

Description	Price for all sales to wholesaler, f. o. b. shipping point	Price for all sales to retailer and industrial user f. o. b. shipping point	Price for all sales at retail
Chambray shirt, plain weave carded cotton, indigo blue, thread count 68 x 50, weight 4.45 oz. per sq. yd., turn down collar, open front style, plastic buttons, two button through patch pockets. Federal Specifications CCC-C-231	\$0.58	\$0.70	\$1.05
Utility shirt, double duty, tailored to Government Standards, plain weave, carded cotton, mercerized, vat-dyed olive drab, pre-shrunk, minimum weight 3.3 oz. per sq. yd., 6 button style, open front, 2 button patch pockets with "U. S. N." stamped on left pocket, double or patched yoke with collar-band and continuous sleeve facing, no lining in collar, cuffs or front facings.	.58	.70	1.05

Description	Price for all sales to wholesaler, f. o. b. shipping point	Price for all sales to retailer and industrial user f. o. b. shipping point	Price for all sales at retail
Utility jacket, coat style, cotton herringbone twill, thread count 72 x 46, minimum weight 8.5 oz. per sq. yd., vat-dyed olive drab, sunfast, washfast, 4 unbreakable buttons rolling collar, 3 large patch pockets with bar tacks at strain points (pencil slit and lettering "U. S. N." on upper left pocket) adjustable button sleeves	\$0.92	\$1.15	\$1.75
Utility trousers, herringbone twill and plain navy twill, olive drab, pre-shrunk, minimum count 72 x 46, re-inforced strain points and unbreakable buttons on fly front, two deep front swing pockets and two hip patch pockets with "U. S. N." stamped on rear right pocket	.92	1.15	1.75
Dungaree trousers, 2 oz. per sq. yd., indigo-blue denim, pre-shrunk, two front swing pockets, two big hip pockets re-inforced at upper corners, 2 needle out-seams, seat seams and inseams, waist band in single strip attached with 2 needle seams.	.83	1.00	1.50

(c) *Discounts.* Every seller shall continue to maintain his customary discounts for cash.

(d) *Notification.* Any person who sells the work clothes described in paragraph (b) to a retailer shall furnish the retailer with an invoice of sale setting forth the maximum prices for sales at retail, and stating that the retailer is required by this order to attach to each garment before sale a tag or label which plainly states a selling price not in excess of the appropriate retail ceiling price.

(e) *Tagging.* Any person who sells the work clothes described in paragraph (b) at retail shall attach to each garment before sale a tag or label which plainly states a selling price not in excess of the appropriate retail ceiling price.

(f) *Relation to other regulations and orders.* This order with respect to the commodities it covers supersedes any other regulation or order previously issued by the Office of Price Administration.

(g) *Definitions.* (1) "Retailer" means any person who sells to users or ultimate consumers, except industrial users.

(2) "Wholesaler" means any person who sells to purchasers for resale and to industrial users.

(h) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective January 25, 1946.

Issued this 25th day of January 1946.

RICHARD H. FIELD,
Acting Administrator.

[F. R. Doc. 46-1462; Filed, Jan. 25, 1946;
4:29 p. m.]

[2d Rev. MPR 195, Order 15]

EASTERN EGG CASES AND COMPONENT PARTS
WHEN SOLD IN SETS

ADJUSTABLE PRICING FOR PRODUCERS

On December 18, 1945, this Office issued Order 13 under section 7 (a) of 2nd Re-

vised Maximum Price Regulation 195 establishing dollar and cent prices for egg cases and their component parts when sold in sets and produced in the Eastern, Central and Southern States. While some producers of egg cases and component parts appear to be satisfied with the prices as established in the order many companies have indicated they consider the prices too low and immediately ceased production of these vitally needed containers.

This year's production of eggs is expected to be unusually large and prior to the issuance of Order 13, it was expected by the Department of Agriculture that the total production of egg cases would be some 10,000,000 below estimated requirements. With the determination of a large part of the industry not to produce under Order 13 a critical situation has arisen which could easily have far-reaching and serious effects. The Department of Agriculture has requested that this office take immediate action to alleviate the threatened shortage of egg cases.

On January 18, 1945, a meeting was held in Memphis, Tennessee, at which representatives of this office, the industry, and of the Department of Agriculture were in attendance. The existence of the situation as described above was confirmed. Prior to the meeting cost information was collected from some of the important egg case producers. Consideration is now being given to the question of whether or not an increase is required in the prices provided in Order 13 on egg cases. Meanwhile, pending a decision on this question, it is necessary in order to promote production and distribution of these products, to authorize sales at prices which may be adjusted upward in accordance with whatever action the Office of Price Administration may take after delivery.

After due consideration of the foregoing and pursuant to section 12 of 2d Revised Maximum Price Regulation 195, it is ordered:

(a) Producers and resellers may sell and deliver, and any person may buy and receive, Eastern Egg cases and component parts sold in sets, subject to Order 13 under section 7 (a) of 2d Revised Maximum Price Regulation 195, at prices not over the prevailing ceiling at time of delivery but by agreement subject to adjustment upward in accordance with action, if any, taken by the Office of Price Administration after delivery.

(b) This order shall be automatically revoked upon the establishment by the Office of Price Administration of maximum prices for eastern egg cases and component parts when sold in sets under Order 13 under section 7 (a) of 2d Revised Maximum Price Regulation 195 higher than the maximum prices therefor now prevailing. It may be revoked or amended by the Price Administrator at any time.

This Order No. 15 shall become effective January 25, 1946.

Issued this 25th day of January 1946.

RICHARD H. FIELD,
Acting Administrator.

[F. R. Doc. 46-1446; Filed, Jan. 25, 1946;
4:29 p. m.]

Regional and District Office Orders.

[Milwaukee Rev. Order G-1 Under Gen. Order 68]

BUILDING AND CONSTRUCTION MATERIALS IN MILWAUKEE COUNTY, WISC.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order 68, as amended, it is ordered:

SECTION 1. What this order covers. This order covers all retail sales made by any seller of commodities specified in Appendix A, "Maximum Prices to Consumers", and Appendix B, "Maximum Prices to Contractors", in the County of Milwaukee, State of Wisconsin.

Sec. 2. Definition of retail sales. For the purposes of this order, a retail sale means a sale to an ultimate user, or to any person for resale on an installed basis.

Sec. 3. Relation to other regulations. The maximum prices fixed by this order supersede any maximum price or pricing method previously fixed by any other regulation or order covering the commodities specified in Appendix A and Appendix B.

Sec. 4. Discounts, allowance and delivery practices. (1) The seller shall continue to grant his customary cash discounts with respect to all sales of commodities specified in Appendix A and Appendix B to all classes of purchasers, in effect during the base period used in determining his maximum prices under the applicable price regulation.

(2) Maximum delivered prices fixed by this order are maximum prices at the yard, subject to all customary delivery services. All customary delivery services must be maintained and no amount may be added for deliveries in the area covered by this order.

Sec. 5. Posting of maximum prices. Every seller making sales covered by this order shall post a copy of the list of maximum prices fixed by this order in each of his places of business in the area covered by this order in a manner plainly visible to all purchasers. An additional copy of Appendix A and Appendix B is attached to this order for posting.

Sec. 6. Sales slips and records. Every seller covered by this order shall give to the purchaser a sales slip, receipt, or other evidence of purchase which shall show the date, name and address of the seller, the description, quantity, and the price of each item sold, said description to be in detail sufficient to determine whether the price charged has been properly computed under this order: *Provided*, That for sales of less than a total of \$7.50 only the name and address of the seller and the amount of the sale need be shown. The seller shall prepare such sales slips, receipts, or other evidence of purchase in duplicate and he must keep for a least six months after delivery such duplicate copy delivered pursuant to this section. For any sale of \$50.00 or more each seller, regardless of previous custom, must keep records showing at least the following: (1) Name and address of buyer, (2) Date of transaction, (3) Place

of delivery, and (4) Complete description of each item sold and price charged.

SEC. 7. On and after the effective date of this order, any person covered by this order, who sells or offers to sell at a price higher than the ceiling price permitted by this order, or otherwise violates any of the provisions of this order, shall be subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages as provided for by the Emergency Price Control Act of 1942, as amended. No person subject to this order may evade any of the provisions of the order by any stratagem, scheme or device. No person subject to this order may, as a condition of selling any particular building material item, require a customer to buy anything else. Any such evasion is punishable as a violation of this order.

SEC. 8. Relationship between this order and previous orders. Order No. G-1, effective December 1, 1945, issued under General Order 68, is hereby revoked.

Appendix. Appendix A, Maximum Prices to Consumers, and Appendix B, Maximum Prices to Contractors, are attached hereto and made a part hereof.

This order may be modified, amended, or revoked at any time.

This order shall become effective January 17, 1946.

Issued this 15th day of January 1946.

H. T. SMITH,
District Director.

APPENDIX A—CONSUMERS' MAXIMUM PRICES

Commodity	Unit	Consumer maximum prices, at the yard
Plaster base coat:		
Sanded	100 lb. bag	\$0.85
On brick or tile	do	.80
Neat unfibred or wood fibre	do	1.10
Neat fibre	do	1.10
Plaster:		
Sand float finish	do	1.10
Trowel finish	do	1.85
Bonding	do	1.25
Keene's cement—regular	do	1.75
Plaster:		
Gauging	do	1.01
Moulding	do	1.50
Finishing lime fibred	50 lb. bag	.65
Finishing lime unfibred	do	.60
Gypsum lath 3/8"—Plain or perforated	1,000 sq. ft.	28.00
Corner bead:		
Expanded type	1,000 ft.	60.00
Arched	do	40.00
Scalloped	do	50.00
Portland cement standard	94 lb. paper bag	.85
Mason's hydrated lime	94 lb. cloth bag	1.95
Masonry mortar	50 lb. bag	.55
Waterproof cement—Gray	94 lb. paper bag	.75
Concrete block:		
Cinder 10"	per block	.20
Sand 10"	do	.20
Haydite—Waylite, Celocrete, 10"	do	.22
Sand 12"	do	.22
Cinder 12"	do	.22
Haydite—Waylite Celocrete 12"	do	.24
Concrete block:		
Sand 8"	do	.18
Cinder 8"	do	.18
Haydite—Waylite, Celocrete 8"	do	.19
Cinder 6"	do	.16
Sand 6"	do	.16
Haydite—Waylite, Celocrete 6"	do	.17
Cinder 4"	do	.12
Sand 4"	do	.12
Haydite—Waylite, Celocrete 4"	do	.13

* 10 cents refund for return of bag.

APPENDIX A—CONSUMERS' MAXIMUM PRICES—Con.

Commodity	Unit	Consumer maximum prices, at the yard
Vitrified clay sewer pipe No. 1SS:		
3 to 24 inch including standard.	(?)	
15 to 24 inch double strength.	(?)	
Flue lining:		
4 x 8.....	Per foot.....	\$0.31
4 x 12.....	do.....	.41
8 x 8.....	do.....	.41
8 x 12.....	do.....	.61
8 x 18.....	do.....	.82
12 x 12.....	do.....	.80
Gypsum wallboard:		
3/8".....	1,000 sq. ft.....	45.00
1/2".....	do.....	47.50
Gypsum sheathing, 1/2".....	do.....	44.50
Asphalt roofing 90 lb. mineral surface.	100 sq. ft.....	2.50
Asphalt or tarred felt.....	15 lb. per roll.....	2.50
Asphalt shingles:		
210 lb. (3 in 1) thick butt.	Per square.....	6.00
165 lb. 2 tab hexagon.....	do.....	5.00
Split roll roofing 105 lb. diamond pt-shadow.	Per roll.....	3.05
Fibre insulation Board 1/2" standard lath and board.	1,000 sq. ft.....	50.00
Fibre insulation board.	do.....	60.00
2 1/2" asphalt sheathing.	do.....	50.00
Thermal insulation blankets, paper backed, medium.	do.....	50.00
Thermal insulation blankets:		
Paper backed, single.....	do.....	45.00
Paper backed, thick.....	do.....	65.00
Thermal insulation batts:		
2" paper backed.....	do.....	50.00
Full thick.....	do.....	65.00

* 33 off list.
 * 22 off list.

These prices must be posted in your place of business in a manner plainly visible to all purchasers. Contractors' maximum price available upon request.

APPENDIX B—CONTRACTORS' MAXIMUM PRICES

Commodity	Sales to contractors	
	Unit	Maximum price
Plaster:		
Base coat, sanded.....	100-lb. bag.....	\$0.54
Base coat on brick or tile.....	do.....	.52
Base coat neat, unfibred or wood fibre.....	do.....	.89
Base coat neat fibre.....	do.....	.89
Trowel finish.....	do.....	1.54
Bonding.....	do.....	1.04
Keene's cement regular.....	do.....	1.44
Plaster gauging.....	do.....	.89
Plaster moulding or art.....	do.....	1.15
Finishing lime fibred.....	do.....	.53
Finishing lime.....	50-lb. bag.....	.48
Gypsum lath, 3/8", plain or perforated.....	1,000 sq. ft.....	22.00
Metal lath:		
3.4 lb. painted diamond mesh, copper bearing.....	Square yard.....	.25
3.4 lb. galvanized.....	do.....	.27
2.75 lb. flat rib painted, copper bearing.....	do.....	.25
3.4 lb. 3/8" high rib painted, copper bearing.....	do.....	.27
3.4 lb. 3/8" high rib, galvanized.....	do.....	.29
Corner bead:		
Expanded type.....	1,000 ft.....	37.00
Arched.....	do.....	26.00
Scalloped.....	do.....	30.00
Portland cement standard.....	94 lb. paper bag.....	.71
	94 lb. cloth bag.....	1.78
Mason's hydrated lime.....	50-lb. bag.....	.42
Masonry mortar.....	94 lb. paper bag.....	.64
Waterproof cement, gray.....	100 lb. paper bag.....	.86
Gypsum block partitions:		
3" hollow.....	1,000 sq. ft.....	75.00
4" hollow.....	do.....	90.00
6" hollow.....	do.....	162.00

* 10 cents refund for return of bag.

APPENDIX B—CONTRACTORS' MAXIMUM PRICES—Con.

Commodity	Sales to contractors	
	Unit	Maximum price
Concrete block:		
Sand 12".....	Per block.....	\$0.22
Cinder 12".....	do.....	.22
Haydite, Waylite concrete, 12".....	do.....	.24
Cinder 10".....	do.....	.20
Sand 10".....	do.....	.20
Haydite, Waylite concrete, 10".....	do.....	.22
Sand 8".....	do.....	.18
Cinder 8".....	do.....	.18
Haydite, Waylite concrete 8".....	do.....	.19
Cinder 6".....	do.....	.16
Sand 6".....	do.....	.16
Haydite, Waylite concrete 6".....	do.....	.17
Cinder 4".....	do.....	.12
Sand 4".....	do.....	.12
Haydite, Waylite concrete 4".....	do.....	.13
Vitrified clay sewer pipe No. 1SS:		
3 to 24" inch standard.....	(?)	
15 to 24", double strength.....	(?)	
Flue lining:		
4 x 8.....	Per foot.....	.26
4 x 12.....	do.....	.35
8 x 8.....	do.....	.35
8 x 12.....	do.....	.51
8 x 18.....	do.....	.80
12 x 12.....	do.....	.66
12 x 18.....	do.....	1.00
18 x 18.....	do.....	1.31
20 x 20.....	do.....	2.39
20 x 24.....	do.....	2.75
24 x 24.....	do.....	3.08
Coping:		
9" double slant.....	do.....	.23
9" laplock.....	do.....	.25
13" double slant.....	do.....	.344
13" laplock.....	do.....	.384
18" double slant.....	do.....	.685
18" laplock.....	do.....	.744
Gypsum wallboard:		
3/8".....	1,000 sq. ft.....	40.00
1/2".....	do.....	42.50
3/8".....	do.....	40.30
Asphalt roofing 90 lb. mineral surface.	100 sq. ft.....	2.25
Asphalt or tarred felt.....	15 lb. roll.....	2.25
Asphalt shingles:		
210 lb. (3 in 1) thick butt.	Per square.....	5.40
165 lb. 2 tab hexagon.....	do.....	4.50
Split roll roofing 105 lb. diamond pt. or shadow.	Per roll.....	2.75
Fibre insulation board: 1/2" standard lath and board.	1,000 sq. ft.....	45.00
2 1/2" asphalt sheathing.....	do.....	58.00
Thermal insulation blankets:		
Paper backed, medium.....	do.....	45.00
Paper backed, single.....	do.....	40.00
Paper backed, thick.....	do.....	60.00
Thermal insulation batts:		
2" paper backed.....	do.....	45.00
Full thick.....	do.....	61.00

* 43 off list.
 * 32 off list.

[F. R. Doc. 46-1426; Filed, Jan. 25, 1946; 12:06 p. m.]

[Newark Adopting Order 23 Under Basic Order 1 Under Gen. Order 68]

BUILDING AND CONSTRUCTION MATERIALS IN CAMDEN AND GLOUCESTER COUNTIES, N. J.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Regional Administrator of Region II by the Emergency Price Control Act of 1942, as amended, by General Order No. 68, as amended, and by Revised Procedural Regulation No. 1, which authority has

been duly delegated by such Regional Administrator to the District Director, Newark District Office, it is hereby ordered:

SECTION 1. *What this order covers.* This adopting order under Basic Order No. 1, as amended, under General Order No. 68, as amended, covers sales by all persons to ultimate users or to purchasers for resale on an installed basis of certain building materials listed in Schedule A hereto annexed and generally known as "hard" mason materials. All provisions of Basic Order No. 1, as amended, under General Order No. 68, as amended, are adopted in this order and are just as much a part of this order as if specifically set forth herein. If said Basic Order No. 1 as amended is further amended in any respect, the provisions of said order as amended shall likewise without further action become part of this order. All persons subject to this adopting order are also subject to Basic Order No. 1 as amended, under General Order 68 as amended, and should be familiar with the provisions of said order.

SEC. 2. *Territory covered by this order.* The geographical area covered by this order is the Counties of Camden and Gloucester in the State of New Jersey.

SEC. 3. *Maximum prices.* The maximum prices for the building materials covered by this order are set forth in Schedule A hereto annexed and made a part of this order.

SEC. 4. *Discounts, allowances and terms of sale.* All maximum prices fixed by this order are delivered prices. All customary allowances, discounts and differentials must be preserved.

SEC. 5. *Relationship of this order to Basic Order No. 1, as amended, under General Order No. 68, as amended, and to General Maximum Price Regulation and other maximum price regulations.* As previously stated all provisions of Basic Order No. 1 as amended are adopted by this order. The maximum prices fixed by this order supersede any maximum price or pricing method previously established by the General Maximum Price Regulation or by any other applicable regulation or order. Except to the extent that they are inconsistent with the provisions of this order all other provisions of the General Maximum Price Regulation or of any other applicable regulation or order shall remain applicable to sales covered by this order.

SEC. 6. *Posting of maximum prices.* Every seller making sales covered by this order shall post a copy of the list of maximum prices fixed by this order in each place of business within the area covered by this order.

SEC. 7. *Records and sales slips.* The provisions of section (e) of Basic Order No. 1, as amended, covering sales slips and records are adopted in and applicable to this order as though specifically set forth herein; and also on any sale of \$50.00 or more each seller, regardless of previous custom, must keep records showing at least the following:

- (1) Name and address of buyer.
 (2) Date of transaction.
 (3) Place of delivery.
 (4) Complete description of each item sold and price charged.

SEC. 8. *Revocation or amendment.* This order may be revised, amended, revoked or modified at any time by the Regional Administrator or the Price Administrator, or the Newark District Director.

ministrator, or the Newark District Director.

This order shall become effective February 4, 1946.

Issued this 22d day of January 1946.

RICHARD J. TARRANT,
 District Director.

SCHEDULE A

Maximum prices for certain building and construction materials in the counties of Camden and Gloucester, in the State of New Jersey, on sales by all persons to ultimate users or to purchasers for resale on an installed basis.

Item	Delivered prices to purchasers for sales on an installed basis (this includes contractors)	Delivered prices to ultimate users (this includes consumers)
Plaster, hard wall	\$0.90 (bag 100#)	\$1.15 (bag 100#)
Plaster, gauging	\$1.42 (bag 100#)	\$1.60 (bag 100#)
Finishing lime	\$0.55 (bag 50#)	\$0.65 (bag 50#)
Gypsum lath 3/8"	\$24.25 (M sq. ft.)	\$26.25 (M sq. ft.)
Metal lath 2.2 lb. painted diamond mesh	\$0.26 (sq. yd.)	\$0.27 (sq. yd.)
Metal lath 2.5 lb. painted diamond mesh	\$0.25 (sq. yd.)	\$0.26 (sq. yd.)
Metal lath 3.4 lb. painted diamond mesh	\$0.30 (sq. yd.)	\$0.30 (sq. yd.)
Metal lath, corner bead expanded type	\$0.03 (lin. ft.)	\$0.03 1/2 (lin. ft.)
Portland cement, standard	\$0.75 (bag 100#)	\$0.85 (bag 100#)
Masonry mortar	\$0.70 (bag 70#)	\$0.75 (bag 70#)
Mason's hydrated lime	\$0.40 (bag 50#)	\$0.50 (bag 50#)
Fire brick—9" straight 1st quality	\$0.08 1/2 (lin. ft.)	\$0.09 (each)
Clay drain tile—3"	\$0.10 (lin. ft.)	\$0.09 (lin. ft.)
Clay drain tile—4"	\$0.17 (lin. ft.)	\$0.11 (lin. ft.)
Vitrified clay sewer pipe No. 18S—4"	\$0.27 (lin. ft.)	\$0.18 (lin. ft.)
Vitrified clay sewer pipe No. 18S—6"	\$0.35 (lin. ft.)	\$0.28 (lin. ft.)
Flue lining 9 x 9	\$0.48 (lin. ft.)	\$0.37 (lin. ft.)
Flue lining 9 x 13	\$0.66 1/2 (lin. ft.)	\$0.50 (lin. ft.)
Flue lining 13 x 13	\$0.66 1/2 (lin. ft.)	\$0.70 1/2 (lin. ft.)
Gypsum wallboard—3/8"	\$40.00 (M sq. ft.)	\$42.50 (M sq. ft.)
Asphalt roofing—90 lb. Mineral surface	\$2.35 (roll)	\$2.35 (roll)
Asphalt or tarred felt, 15 lb.	\$2.20 (roll)	\$2.20 (roll)
Asphalt or tarred felt, 30 lb.	\$2.20 (roll)	\$2.20 (roll)
Asphalt shingles, 210 lb. (3 in 1) thickbutt	\$5.25 (square)	\$5.50 (square)
Asphalt shingles, 165 lb. 2 tab. hexagon	\$4.50 (square)	\$4.75 (square)
Fibre insulation board 3/4" standard lath and board	\$50.00 (M sq. ft.)	\$55.00 (M sq. ft.)
Fibre insulation board 3/4" asphalt sheathing	\$60.00 (M sq. ft.)	\$65.00 (M sq. ft.)
Asbestos cement siding 12 x 27" standard colors	\$7.65 (100 sq. ft.)	\$7.65 (100 sq. ft.)
Thermal insulation—batts (paper backed) Full-thick	\$60.00 (M sq. ft.)	\$65.00 (M sq. ft.)
Thermal insulation, loose in bags (plain)	\$1.10 (40# bag)	\$1.10 (40# bag)
Thermal insulation, loose in bags (Nodulated)	\$1.40 (40# bag)	\$1.40 (40# bag)

[F. R. Doc. 46-1428; Filed, Jan. 25, 1946; 12:06 p. m.]

[Region VI Order G-4 Under MPR 121]

SOLID FUELS IN NORTH DAKOTA AND MINNESOTA

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.247a (b) of Maximum Price Regulation No. 121 and for reasons stated in the opinion issued herewith, it is ordered:

(a) *What this order does.* This order adjusts the maximum price for the sale of stoker nut lignite produced and sold to equipped and unequipped dealers for resale to "domestic users" in the State of North Dakota and in the Towns of Moorhead, East Grand Forks and Breckenridge, in the State of Minnesota.

(b) *Maximum price.* The maximum price for stoker nut lignite produced in the State of North Dakota, and sold to equipped and unequipped dealers in the State of North Dakota, and the Towns of Moorhead, East Grand Forks, and Breckenridge, Minnesota, for resale to "domestic users" is hereby increased to \$1.70 per ton.

(c) *Definitions.* (1) The term "industrial user" means a purchaser who buys stoker nut lignite in carload lots transported by rail directly to the said purchaser's facilities.

(2) The term "domestic user" means any purchaser from an equipped or un-

equipped dealer of stoker nut lignite who is not an "industrial user" as defined in paragraph (1) above.

(3) Except as otherwise provided herein or as the context may otherwise require, all terms used in this order shall bear the meaning given them in Maximum Price Regulation No. 121 or the Emergency Price Control Act of 1942, or if not therein defined they shall be given their ordinary and popular trade meaning.

(d) *Effect of order on Maximum Price Regulation No. 121.* Except as herein otherwise provided, the provisions of Maximum Price Regulation No. 121 shall remain in full force and effect.

(e) *Exclusion.* This order shall not apply to the sale of stoker nut lignite produced at the Burleigh Mine owned and operated by the Truax-Traer Coal Company.

(f) This order may be amended, modified or revoked at any time.

This Order No. G-4 shall become effective immediately and remain in effect for 90 days from date of issuance hereof.

Issued this 15th day of January 1946.

R. E. WALTERS,
 Regional Administrator.

[F. R. Doc. 46-1430; Filed, Jan. 25, 1946; 12:07 p. m.]

[Milwaukee Order G-3 Under Gen. Order 68]

BUILDING AND CONSTRUCTION MATERIALS IN ROCK COUNTY, WIS.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order 68, as amended, it is ordered:

SECTION 1. *What this order covers.* This order covers all retail sales made by any seller of commodities specified in Appendix A in the County of Rock, State of Wisconsin.

SEC. 2. *Definition of retail sale.* For the purposes of this order, a retail sale means a sale to an ultimate user, or to any person for resale on an installed basis.

SEC. 3. *Relation to other regulations.* The maximum prices fixed by this order supersede any maximum price or pricing method previously fixed by any other regulation or order covering the commodities specified in Appendix A.

SEC. 4. *Discounts, allowance and delivery practices.* (1) The seller shall continue to grant his customary cash discounts with respect to all sales of commodities specified in Appendix A to all classes of purchasers, in effect during the base period used in determining his maximum prices under the applicable maximum price regulation.

(2) Maximum delivered prices fixed by this order are maximum prices at the yard, subject to all customary delivery services. All customary delivery services must be maintained and no amount may be added for deliveries in the area covered by this order.

SEC. 5. *Posting of maximum prices.* Every seller making sales covered by this order shall post a copy of the list of maximum prices fixed by this order in each of his places of business in the area covered by this order in a manner plainly visible to all purchasers. An additional copy of Appendix A is attached to this order for posting.

SEC. 6. *Sales slips and records.* Every seller covered by this order shall give to the purchaser a sales slip, receipt, or other evidence of purchase which shall show the date, name and address of the seller, the description, quantity, and the price of each item sold, said description to be in detail sufficient to determine whether the price charged has been properly computed under this order: *Provided*, That for sales of less than a total of \$7.50 only the name and address of the seller and the amount of the sale need be shown. The seller shall prepare such sales slips, receipts, or other evidence of purchase in duplicate and he must keep for at least six months after delivery such duplicate copy delivered pursuant to this section. For any sale of \$50.00 or more each seller, regardless of previous custom, must keep records showing at least the following: (1) Name and address of buyer, (2) Date of transaction, (3) Place of delivery, and (4) Complete description of each item sold and price charged.

SEC. 7. On and after the effective date of this order, any person covered by this

order, who sells or offers to sell at a price higher than the ceiling price permitted by this order, or otherwise violates any of the provisions of this order, shall be subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages as provided for by the Emergency Price Control Act of 1942, as amended. No person subject to this order may evade any of the provisions of the order by any stratagem, scheme or device. No person subject to this order may, as a condition of selling any particular building material item, require a customer to buy anything else. Any such evasion is punishable as a violation of this order.

Appendix. The Appendix, containing the dollars-and-cents ceiling prices established by this order is attached hereto and made a part hereof.

This order may be modified, amended, or revoked at any time.

This order shall become effective January 17, 1946.

Issued this 15th day of January 1946.

H. T. SMITH,
District Director.

APPENDIX A

Commodity	Unit	List 1
Plaster:		
Hardwall	100-lb. bag	\$1.00
Gauging	do.	1.00
Trowel finish	do.	1.75
Wood fibre	do.	1.00
Keene's cement	do.	2.75
Finishing lime, unhydrated	50-lb. bag	.65
Gypsum lath 3/8"	1,000 sq. ft.	25.00
Metal lath:		
2.5, painted diamond mesh	Sq. yd.	.27
3.4, painted diamond mesh	do.	.32
Corner bead expanded type	1,000 ft.	50.00
Corner bead arched	do.	30.00
Portland cement:		
Standard	94-lb. paper bag	.80
Standard (extra charge for bag which will be refunded on return)	94-lb. cloth bag	.85
Masonry mortar	94 lb. paper bag	.70
Masonry hydrated lime	50 lb. bag	.50
Waterproof cement (gray)	100 lb. paper bag	1.05
Clay drain tile:		
4"	Foot	.08
6"	do.	.10
Vitrified clay sewer pipe No. 1SS:		
3 to 24 inch incl. standard	(2)	
15 to 24 inch double strength	(4)	
Flue lining:		
9 x 9	Foot	.35
9 x 13	do.	.50
13 x 13	do.	.63
Gypsum wallboard:		
3/8"	1,000 sq. ft.	45.00
1/2"	do.	50.00
Gypsum sheathing, 1/2"	do.	45.50
Asphalt roofing, 90 lb. mineral surface	Roll	2.50
Asphalt or tarred felt:		
15 lb.	do.	2.50
30 lb.	do.	2.50
Asphalt shingles:		
210 lb. (3 in 1 thick butt)	Square	6.40
153 lb. 2 tab. hexagon	do.	4.91
165 lb. 2 tab. hexagon	do.	5.00
Smooth roll roofing:		
35 lb.	Roll	1.25
45 lb.	do.	2.00
55 lb.	do.	2.30
65 lb.	do.	2.60
Fibre insulation board:		
1/2" standard lath and board	1,000 sq. ft.	50.00
3/4" asphalt sheathing	do.	65.00
Asbestos cement siding 12 x 24 or 27" standard colors	Square	9.00

¹ Subject to customary discounts and delivery service.
² 33 off list.
³ 22 off list.

APPENDIX A—Continued

Commodity	Unit	List 1
Hard density synthetic fibre board 1/8" tempered (St'd.) size)	1,000 sq. ft.	\$90.00
Thermal insulation:		
Blankets, paper backed, medium	do.	55.00
Blankets, paper backed single	do.	50.00
Blankets, paper backed, thick	do.	70.00
Batts, paper backed, 2" thick	do.	50.00
Batts, paper backed, full-thick	do.	70.00
Loose in bags (plain)	3 lb. bag	1.10
Loose in bags (nodulated)	do.	1.25

¹ Subject to customary discounts and delivery service. These prices must be posted in your place of business in a manner plainly visible to all purchasers.

[F. R. Doc. 46-1427; Filed, Jan. 25, 1946; 12:06 p. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 80]

SOLID FUELS IN FARGO-MOORHEAD AREA

An opinion accompanying this Amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 22, which covers the Fargo-Moorhead area, paragraph (b), Price Schedule, is amended to read as follows:

(b) *Price schedule.* Immediately below and as a part of this section (b) is a Price Schedule that sets forth maximum prices for delivered sales by dealers in lots of one (1) ton or more of specified kinds and sizes of solid fuels. Charges for treatment of coal are set forth in section (c). Discounts are set forth in section (d). Service charges are set forth in section (e). Definitions are set forth in section (f).

PRICE SCHEDULE

Description	1 ton (per ton)	Car-load (per ton)	50-ton user (per ton)
I. Low volatile bituminous coal from district No. 7 (southern West Virginia and northwestern and central Virginia):			
1. Lump, egg, and stove	\$16.90	\$14.65	\$15.40
2. Nut	15.45	13.20	13.95
3. Stoker	13.15	11.80	12.55
4. Screenings	12.50	11.15	11.90
II. High volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern Virginia, western Virginia, northern Tennessee, and North Carolina):			
1. Lump:			
A. Millers Creek, HI Splint and No. 5 seams	15.15	13.40	14.15
B. Dorothy or No. 5 Block seams	14.55	12.65	13.40
2. Egg:			
A. Millers Creek, HI Splint and No. 5 seams	14.90	13.10	13.85
B. Elkhorn and Harlan seams	14.40	12.40	13.15
C. Dorothy, No. 5 Block and Island Creek seams	14.35	12.35	13.10
3. Stove:			
A. Millers Creek, HI Splint and No. 5 seams	14.65	12.90	13.65
B. Elkhorn seam	14.45	12.70	13.45
4. Stoker	13.35	12.00	12.75
5. Screenings:			
A. Millers Creek, HI Splint, No. 5 and Elkhorn seams	12.40	11.05	11.80
B. Dorothy, No. 5 Block and Island Creek seams	12.15	10.80	11.55

PRICE SCHEDULE—Continued

Description	1 ton (per ton)	Car-load (per ton)	50-ton user (per ton)
III. Lignite coals from district No. 21 (North Dakota—South Dakota):			
1. Lump and furnace	\$6.60	\$5.80	\$6.30
2. Stove	6.20	5.40	5.90
3. Stoker	6.05	5.30	5.80
IV. High Volatile Bituminous Coal from District No. 22 (Montana):			
A. Roundup and Bull Mountain subdistricts Nos. 1 and 9 (all mines in Musselshell, Treasure, Yellowstone, and Golden Valley Counties):			
1. Lump and egg size group Nos. 1 to 6 inclusive (all lump coals bottom size larger than 1/2"; all double screened coals top size larger than 2" and bottom size 1 1/2" and larger)	13.92	12.02	12.77
2. Nut size group Nos. 7 and 8 (all double screened nut coals top size not exceeding 2" and bottom size larger than 1/2" but not exceeding 1 1/2")	11.57	9.92	10.67
3. Stoker size group Nos. 5 (all double screened stoker coals top size not exceeding 1 1/2" and bottom size not exceeding 1/2")	11.07	9.32	10.07
V. Anthracite: 1. Egg, stove, and nut	10.95		
VI. By product Coke:			
1. Stove and nut—Zenith eastern	16.80	15.35	16.10
2. Pea—Zenith eastern	15.80	14.35	15.10
3. Stove, nut, and pea, local city	14.50		
VII. Briquettes:			
1. Glen Rogers	16.06	14.30	15.05
2. Berwind	15.85	14.10	14.85
3. Stott	15.81	14.06	14.81
4. Lignite	14.85	12.85	13.60

On sales of coal delivered within the State of North Dakota, the above prices include the North Dakota Sales Tax, which may not be added to the above prices by the dealer.

In Appendix No. 22, paragraph (d), Discounts, is amended to read:

(d) *Discounts.* The maximum prices set forth in section (b) shall be subject to the following discounts:

1. On sales to purchasers at the one ton delivered price, if payment is made on delivery or within 10 days thereafter a discount of 3 per cent shall be given.
2. On sales of coal picked up at the yard by all purchasers except dealers, carload delivered purchasers, or 50 ton users, a discount of 85¢ per ton shall be given.

The prices established by this Amendment No. 78 supersede those established pursuant to adjustments provided for in Regional Order Nos. G-27 and G-29 under Revised Maximum Price Regulation No. 122, as amended, as to dealers covered by Appendix No. 22 to Order No. G-16.

This Amendment No. 80 to Order No. G-16 shall become effective immediately and remain in effect until April 30, 1946.

Issued this 9th day of January 1946.

R. E. WALTERS,
Regional Administrator.

[F. R. Doc. 46-1431; Filed, Jan. 25, 1946; 12:07 p. m.]

[Region VI Order G-112 Under 18 (c), MPR 121, and RMPR 122]

SOLID FUELS IN NORTH DAKOTA AND MINNESOTA

For the reasons set forth in the accompanying opinion and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, § 1340.247a (b) of Maximum Price Regulation No. 121, and § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is ordered:

(a) *What this order does.* This order adjusts and establishes maximum prices for (1) local delivery of solid fuels by a "for-hire" carrier; (2) delivered sales of solid fuel by equipped dealers and unequipped dealers of North Dakota-produced lignite through the services of a "for-hire" carrier, and (3) delivered sales by mines through the services of a "for-hire" carrier.

(b) *Geographical applicability.* This order applies to all local delivery services by "for-hire" carriers, delivered sales of solid fuel by mines through the services of "for-hire" carriers, and delivered sales by equipped dealers and unequipped dealers of North Dakota-produced lignite through the services of "for-hire" carriers, when physical delivery of the solid fuel is made to the consignee or purchaser within the state of North Dakota, the counties of Kittson, Roseau, Marshall, Pennington, Red Lake, Polk, Norman, Mahanomen, Clearwater, Clay, Becker, Hubbard, Wilkin, Ottertail, Wadena, Traverse, Grant and Douglas in the State of Minnesota; *Provided*, That this order shall not apply to the city of Fargo, North Dakota, or to the territory included within the surrounding area of six miles of the corporate limits of the city of Fargo, North Dakota. (Maximum prices for sale and delivery of all solid fuel in such excepted area are established under Appendix No. 22 to Order No. G-16 under Revised Maximum Price Regulation No. 122.)

(c) *Maximum prices.* Maximum prices for sales of services and solid fuel described below are hereby adjusted and established as follows:

(1) A maximum price of 85¢ per ton is hereby established for delivery of solid fuel by a "for-hire" carrier within local limits as defined in paragraph (h) (4) below. For any delivery beyond local limits, additional charges may be made of 5¢ per ton-mile (one way) up to ten miles and 4¢ per ton-mile (one way) for each mile in excess of ten miles.

(2) The maximum price for a delivered sale of North Dakota-produced lignite by an unequipped coal dealer is hereby established at the total of an amount net in excess of the delivery rates of "for-hire" carriers as computed under paragraph (c) (1) plus a sum not in excess of the maximum price of such dealer's supplier as computed under the regulation applicable to the supplier's sales.

(3) The maximum price for delivered sales of solid fuel through the services of a "for-hire" carrier which is located within the area covered by this order is hereby established at the total of a sum

not in excess of the delivery rates computed under paragraph (c) (1) plus the mine's f. o. b. mine maximum price as provided in Region VI Order Numbers G-1, G-2, and G-3 under Maximum Price Regulation 121, whichever is applicable.

(4) The maximum price for delivered sales by equipped coal dealers of North Dakota-produced lignite, through the service of a "for-hire" carrier with whom said dealer is under contract for the hauling of such lignite, may hereby be increased by a sum not in excess of the exact amount by which the maximum rate of 85¢ per ton for delivery within local limits under this Order exceeds the March 1942 local delivery charge of the "for-hire" carrier with whom such dealer was under contract during March 1942, but in no event shall the amount of such increase in the maximum price exceed 20¢ per ton. Any increase in maximum prices under this sub-paragraph (4) shall become lawful only on the eighth day following the filing by the equipped coal dealer of a proper report reflecting such increases on Office of Price Administration Form #653-40 with the District Office of the Office of Price Administration in the Universal Bldg. at Fargo, North Dakota. The provisions of sub-paragraph (4) shall not be construed to authorize equipped coal dealers to increase their maximum prices established under Maximum Price Regulation No. 122 as to delivery charges or delivered sales prices for solid fuel hauled by their own conveyances rented by them without drivers.

(d) *Exclusions.* This order shall not apply to any persons who have heretofore received orders of adjustments from the Office of Price Administration establishing maximum prices higher than those provided for by this order.

(e) *Revocation of other orders.* (1) Paragraph No. 2 of Order No. G-2 under Maximum Price Regulation No. 121 is hereby revoked.

(2) Region VI Order No. G-98 under § 1499.18 (c) of the General Maximum Price Regulation, covering coal hauling at New Rockford, North Dakota, issued November 12, 1943, is hereby revoked.

(f) *Less than maximum prices.* Sales of services or solid fuel under this order may be made at less than the maximum prices established hereby.

(g) *Enforcement.* Persons violating any provisions of this order are subject to the criminal penalties, civil enforcement actions, suits for treble damages or procedures for suspension of licenses provided for the Emergency Price Control Act of 1942, as amended.

(h) *Definitions.* (1) The term "rate", "charge", and "price" shall be construed synonymously for the purposes of this order.

(2) "Solid fuel" includes all kinds and sizes of coal, lignite, coke, and briquettes made from coke or coal, but shall not include wood or wood products.

(3) "Delivery" means the transportation of a solid fuel by motor vehicle or other means of conveyance from a point of origin such as a mine, equipped dealer's yard, dock or rail siding to a point of destination such as an equipped dealer's

yard or the premises of a domestic, commercial, industrial, or institutional user.

(4) The terms "local limits" shall mean the area within the corporate limits of a municipality or a distance of not more than three miles distant from the point of origin as described in paragraph (h) (3) to the premises of the purchaser.

(5) The term "distance" means the shortest possible distance by public highway between the point of origin and the premises of the purchaser.

(6) "Delivered sales" means a sale of solid fuel in which the delivery services are included in the price charged to the purchaser when the fuel is delivered to the purchaser's premises and dumped or chuted from the seller's truck directly into the purchaser's bin or storage space, but, if this is physically impossible, discharging of fuel directly from the seller's truck to the point nearest and most accessible to the buyer's bin or storage space.

(7) An "equipped coal dealer" is one who buys, handles and sells solid fuel in a yard, bin or other fixed facility owned or operated by the dealer for the storing of such solid fuel.

(8) "An unequipped coal dealer" is one who buys or handles solid fuel which he sells on a delivered basis, but who does not own or operate a yard, bin, or other fixed facility for storing solid fuel.

(9) "A for-hire carrier" is one who, for a compensation paid by person he serves, transports solid fuel in which such carrier has no financial interest. The term does not apply to equipped coal dealers who transport solid fuel in their own conveyances to their purchasers.

(10) "A ton" comprises two thousand (2,000) pounds net weight, avoirdupois measure.

(11) Except as otherwise provided herein or as the context may otherwise require, all terms used in this order shall bear the meaning given them in the General Maximum Price Regulation, Maximum Price Regulation No. 121, Revised Maximum Price Regulation No. 122 or in the Emergency Price Control Act of 1942; if not therein defined, they shall be given their ordinary and popular trade meaning.

(i) *Relationship of the order to other regulations.* To the extent applicable, the provisions of this order supersede the General Maximum Price Regulation, Maximum Price Regulation No. 121 and Revised Maximum Price Regulation No. 122. Insofar as any provisions of this order may be inconsistent with any provisions of the foregoing regulation, those contained in this order shall be controlling. Except as herein otherwise provided, the provisions of the foregoing regulations shall remain in full force and effect.

(j) This order may be amended, modified, or revoked at any time.

(k) This order shall become effective December 29, 1945.

Issued this 29th day of December 1945.

R. E. WALTERS,
Regional Administrator.

[F. R. Doc. 46-1429; Filed, Jan. 25, 1946; 12:07 a. m.]

[Peoria Order G-8 Under Gen. Order 68]
**HARD BUILDING MATERIALS IN KANKAKEE,
 ILL., AREA**

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order 68, it is ordered:

SECTION 1. What this order does. This order establishes dollars-and-cents ceiling prices for all retail sales made by any seller of commodities specified in Appendix A attached hereto, delivered to the purchaser in the Kankakee, Illinois, area. The Kankakee, Illinois, area covered by this order consists of the area within the city limits of the City of Kankakee, Illinois and also the area in Kankakee County lying outside such city limits and within a radius of five (5) miles from the Kankakee County Court House located in Kankakee, Illinois.

SEC. 2. Definition of retail sales. For the purposes of this order, a retail sale means a sale to an ultimate user, or to any person for resale on an installed basis within the meaning of section 1 (b) of Revised Maximum Price Regulation No. 251.

SEC. 3. Relation to other regulations. The maximum prices fixed by this order supersede any maximum price or pricing method previously fixed by any other regulation or order covering the commodities specified in Appendix A.

SEC. 4. Maximum prices, discounts and delivery practices. On and after the effective date of this order, regardless of any contract, agreement or other obligation, no person covered by this order shall sell, offer to sell or deliver at retail as defined in section 2 above, any of the items listed in Appendix A attached hereto, at prices higher than the maximum prices set forth in that appendix. No additional charge may be made for delivery within the area covered by the order, and the maximum prices established are the same for all classes of purchasers, and no discount or allowance need be given.

SEC. 5. Posting of maximum prices. Every seller making sales covered by this order shall post a copy of the list of maximum prices fixed by this order in each of his places of business in the area covered by this order in a manner plainly visible to all purchasers. An additional copy of Appendix "A" is attached to this order and the posting required hereby shall be accomplished by removing the second copy of the appendix attached to this order and posting it in a conspicuous place where it is plainly visible to all purchasers.

SEC. 6. Sales slips and records. Every seller covered by this order shall give to the purchaser a sales slip, receipt, or other evidence of purchase which shall show the date, name and address of the seller, the description, quantity, and the price of each item sold, said description to be in detail sufficient to determine whether the price charged has been properly computed under this order: *Provided*, That for sales of less than a total of \$7.50 only the name and address

of the seller and the amount of the sale need be shown. The seller shall prepare such sales slips, receipts, or other evidence of purchase in duplicate and he must keep for at least six months after delivery such duplicate copy delivered pursuant to this section. For any sale of \$50.00 or more each seller, regardless of previous custom, must keep records showing at least the following:

- (1) Name and address of buyer.
- (2) Date of transaction.
- (3) Place of delivery.
- (4) Complete description of each item sold and price charged.

SEC. 7. On and after the effective date of this order, any person covered by this order, who sells or offers to sell at a price higher than the ceiling price permitted by this order, or otherwise violates any of the provisions of this order, shall be subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages as provided for by the Emergency Price Control Act of 1942, as amended. No person subject to this order may evade any of the provisions of the order by any stratagem, scheme or device. No person subject to this order may, as a condition of selling any particular hard building material item, require a customer to buy anything else. Any such evasion is punishable as a violation of this order. This order may be modified, amended or revoked at any time.

Appendix. The Appendix, containing the dollars-and-cents ceiling prices established by this order is attached hereto, marked Exhibit A and made a part hereof.

This order shall become effective February 1, 1946.

Issued this 21st day of January 1946.

BEN J. BECKER,
Acting District Director.

APPENDIX A

Area covered. That area within the city limits of the City of Kankakee, Illinois, and also the area in Kankakee County lying outside such city limits and within a radius of five (5) miles from the Kankakee County Court House located in Kankakee, Illinois.

[Dollars and cents ceiling prices]

Commodity	Unit	Maximum price
Plaster:		
Hard wall	50 lb. bag	\$0.65
Do.	100 lb. bag	1.05
Do.	Per ton	21.00
Gauging (local)	100 lb. bag	1.15
Keene's cement	do.	2.55
Finishing lime	50 lb. bag	.60
Gypsum lath 3/4"	sq. ft.	.028
Metal lath, standard, corner bead, not expanded.	lin. ft.	.04
Portland cement:		
Standard (paper bags)	94 lb. bag	.80
Standard	Per bbl.	2.90
Masonry mortar (paper sacks)	Per bag	.75
Mason's hydrated lime	do.	.55
Concrete block (sand) 8 x 8 x 16	Each	.17
Fire brick 9" straight, 1st quality, Missouri	Per 1,000	\$7.80
Fire clay	100 lb. bag	1.30
Vitrified clay sewer pipe:		
No. 188 4"	Lin. ft.	.20
No. 188 6"	do.	.286
Flue lining:		
9 x 9	do.	.398
9 x 13	do.	.522
Gypsum wallboard 3/4"	Sq. ft.	.04
Fibre insulation board:		
1/2" Std. lath and board	do.	.055
3/32" asphalt sheathing	do.	.0675

APPENDIX A—Continued

Commodity	Unit	Maximum price
Hard density synthetic fibre board 1/2" tempered (std. size)	Sq. ft.	\$0.095
Thermal insulation blankets (paper backed):		
Full thick kimsel	do.	.055
Double thick, balsam wool	do.	.07
Thermal insulation:		
Batts (paper backed) rockwool, 2" thick	do.	.055
Batts (paper backed) rockwool, full thick	do.	.07
Loose in bags, rockwool (plain)	35 lb. bag	1.15

[F. R. Doc. 46-1434; Filed, Jan. 25, 1946; 12:09 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following order under Revised General Order 51 was filed with the Division of the Federal Register January 8, 1946.

REGION II

Altoona Order 22, Amendment 1, covering dry groceries in certain counties in Pennsylvania. Filed 9:45 a. m.

Copies of this order may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 46-1365; Filed, Jan. 24, 1946; 4:38 p. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 81]

SOLID FUELS IN RACINE, WIS.

An opinion accompanying this Amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122, as amended, is amended in the following respects:

1. Paragraph (b), Price Schedule in Appendix No. 24, Racine, Wisconsin, Area, is amended to read:

(b) *Price schedule.* (1) Immediately below and as a part of this section (b) is a Price Schedule that sets forth maximum prices for "domestic delivered" sales by dealers in lots of one (1) ton or more of specified kinds and sizes of solid fuels. Charges for treatment of coal are set forth in section (c). Discounts are set forth in section (d). Service charges are set forth in section (e). Definitions are set forth in section (f). Sales in lots of fractions of a ton or tons shall be governed by the price schedule as follows:

(i) On "domestic delivered" sales of less than 1 ton, the price shall be proportional to the price per ton plus an additional charge of 50 cents, but in no event shall the total price be in excess of that for a sale of 1 ton; for example, if the price of 1 ton is \$8.65, the price of 1/2 ton would be \$4.33 plus 50 cents or a total of \$4.83; the price of 3/4 ton would be \$6.49 plus 50 cents or a total of \$6.99.

(ii) On "domestic delivered" sales of more than 1 ton, for each fraction of a

ton sold, the price shall be proportional to the price per ton; for example, if the price of 1 ton is \$12.90, the price of 1½ tons would be \$19.35.

PRICE SCHEDULE

Domestic delivered (per ton)

I. Low volatile bituminous coal from District No. 7 (southern West Virginia and northwestern and central Virginia), price classification A and B:	
1. Egg—Forked and screened.....	\$13.05
2. Stove—Forked and screened.....	12.65
3. Stove—Dock run, bin, or car run.....	11.80
II. High volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee, and North Carolina):	
1. Egg (Elkhorn, Island Creek, and Dorothy seams).....	9.85
2. Stoker—price classification A.....	10.15
3. Stoker—price classification B through E.....	9.80
III. High volatile bituminous coal from District No. 10 (Ill.): A. Southern subdistrict price group Nos. 1, 2, and 8—deep machine mines:	
1. Lump and egg size group Nos. 1, 2, and 3 (all lump and egg coal bottom size larger than 2" washed or raw).....	8.75
2. Egg size group No. 5 (all egg coal bottom size larger than 1½" but not exceeding 2" and top size larger than 2" but not exceeding 4" washed or raw).....	8.40
3. Special stoker size group Nos. 21, 22, and 28 (all washed or air-cleaned nut and pea coal bottom size larger than 1 millimeter and top size not exceeding 2"; also all dry dedusted special stoker bottom size larger than 28 mesh and top size not exceeding ¾").....	8.35
4. Dedusted screenings size group Nos. 26 and 27 (all dry dedusted screenings top size not exceeding 2") common trade names Universal and Commercial stoker.....	7.70
IV. Byproduct coke:	
1. Koppers or Solvay: (a) Range and nut.....	14.20
2. Racine gas coke: (a) Egg, range, and nut.....	11.60
(b) Pea.....	10.60
V. Pennsylvania anthracite:	
1. Range and nut.....	15.65
2. Pea.....	13.95
VI. Briquettes:	
1. Low volatile United.....	13.05
2. Low volatile Peerless manufactured by W. H. Pugh Coal Co.....	12.10
3. High volatile Fireballs manufactured by Old Ben Coal Corp.....	10.01

(2) The maximum prices for "Commercial sales" shall continue to be determined under the provisions of Revised Maximum Price Regulation No. 122.

(3) The sum of \$1.00 per ton may be added to the above prices if the purchase price is not paid within 30 days of delivery of the coal.

2. Paragraph (d), Discounts, is amended to read:

(d) *Discounts.* The maximum prices set forth in section (b) (1) shall be subject to the following discounts:

(1) On "Domestic sales" of coal picked up at the dealer's yard: \$1.10 per ton.

(2) On "Domestic sales" to users of 30 tons or more annually: \$0.50 per ton.

3. (a) With respect to dealers covered by Appendix No. 24 as to the sale of Bituminous Coal obtained at or from docks on that part of the west bank of Lake Michigan north of and including Waukegan, Illinois, or the United States side of Lake Superior, this Amendment supersedes Order No. G-27 of Region VI which became effective on December 1, 1945.

(b) With respect to dealers covered by Appendix No. 24, Order No. G-29 of Region VI, effective January 2, 1946, is superseded hereby.

4. The prices established in the above paragraph (b), Price Schedule shall remain in effect only until April 30, 1946.

This Amendment No. 81 to Order No. G-16 shall become effective immediately.

Issued this 10th day of January 1946.

R. E. WALTERS,
Regional Administrator.

[F. R. Doc. 46-1432; Filed, Jan. 25, 1946; 12:08 p. m.]

[Region VI Order G-28 Under RMPR 122]

SOLID FUELS IN SPRINGFIELD, ILL., AREA

Under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.259 (a) (1) of Maximum Price Regulation No. 122 and section 18 (c) of the General Maximum Price Regulation and for reasons set forth in an opinion issued simultaneously herewith, it is ordered:

(a) *What this order does.* This order adjusts the maximum prices heretofore established under Revised Maximum Price Regulation No. 122 for sales of specified solid fuels delivered from retail yards and of soil fuels trucked in from local mines by unequipped dealers and truckers delivered to purchasers in the Springfield, Illinois, area.

(b) *Geographical applicability.* This order applies to all "delivered" sales of specified solid fuels made by all sellers from retail yards and by unequipped dealers and truckers where the fuel is delivered to the purchaser in the area comprising greater Springfield, including the Townships of Springfield, Capitol, and Woodside, in the State of Illinois.

(c) *Price schedule.* (1) Immediately below and as part of this paragraph (c) are two schedules which set forth adjusted maximum prices before discounts for delivered sales of solid fuels of specified sizes, kinds and quantities. One schedule applies to sales of coal delivered from retail yards and the other to sales of solid fuel trucked in from local mines. Column 1 describes the fuel for which prices are established. Column 2 specifies the maximum prices for the fuel delivered in quantities of two ton lots or more. All prices are stated on a net ton basis. On sales in lots of one (1) ton or more but less than two tons, an additional charge of 25¢ per ton may be added to the prices in both price schedules, but in no case shall a sale of less than two tons exceed the ceiling price established below for two (2) ton deliveries.

PRICE SCHEDULE FOR COAL DELIVERED FROM RETAIL YARDS

2 ton lots or more (per ton)

I. High volatile bituminous coal from district No. 10 (Illinois):	
A. Southern subdistrict—deep machine mines—price group Nos. 1, 2, and 8:	
1. Lump and egg. Size group Nos. 1, 2, and 3. All lump and egg coals bottom size larger than 2" washed or raw.....	\$7.80
2. Egg, nut, and stove. Size group Nos. 4, 5, 6, and 8, all egg and stove coal bottom size 2" and smaller washed or raw.....	7.50
3. Special stoker size group Nos. 21, 22, and 28. All washed or air cleaned nut and pea coal bottom sizes larger than 1 millimeter and top size not exceeding 2"; also all dry dedusted special stoker bottom size larger than 28 mesh and top size not exceeding ¾". Including such trade names as G14, Par Fuel, Super X, Air-Flow and S. P. Deluxe stoker.....	7.50
4. Washed screenings. Size group Nos. 23 and 24. All washed or air cleaned screenings top size not exceeding 2".....	6.95
B. Central subdistrict. Deep machine mines. Price group Nos. 12 and 13.	
1. Lump and egg. Size group Nos. 1, 2, and 3. All lump and egg coals bottom size larger than 2" washed or raw.....	6.03
2. Egg and stove. Size group Nos. 4, 5, 6, and 8. All egg and stove coals bottom size 2" and smaller washed or raw.....	5.93
3. Washed screenings. Size group Nos. 23 and 24. All washed or air cleaned screenings top size not exceeding 2".....	5.68

There may be added to the above prices the Retailers Occupational Tax of the State of Illinois, and the Federal Transportation Tax.

(2) *Discounts:* On sales to other dealers at the yard of the seller a discount of \$1.30 per ton shall be granted off the above prices.

PRICE SCHEDULE FOR COAL TRUCKED IN FROM LOCAL MINES

2 ton lots or more (per ton)

I. High volatile bituminous coal from district No. 10 (Illinois):	
A. Central subdistrict	
1. Lump and egg. Size group No. 1. All lump and egg coal bottom size larger than 4" washed or raw.....	\$5.00
2. Lump and egg. Size group No. 2 and 3. All lump and egg coal bottom size larger than 2" but not exceeding 4" washed or raw, including 7" x 4", 6" x 4" and 6" x 3".....	4.90
3. Egg and nut. Size group Nos. 4 and 5. All egg and nut coals bottom size larger than 1½" but not exceeding 2" and top size larger than 2" washed or raw, including 4" x 2" and 3" x 2".....	4.70
4. Stove size group No. 8. All stove coal bottom size larger than ¾" and top size larger than 1½" but not exceeding 2", washed or raw.....	4.45
5. Raw chestnut, pea and stoker. Size group Nos. 9-12, inclusive. All raw nut and pea coal bottom size larger than 10 mesh or ¾" and top size not exceeding 2".....	4.50

There may be added to the above prices the Retailer's Occupational Tax of the State of Illinois.

(d) *Chemical or oil treatment of coal.* Whenever an equipped dealer, un-equipped dealer, or trucker has been charged by his supplier for the chemical or oil treatment of coal at the mine, he may add the lawful treatment charge to the applicable maximum price set by this Order No. G-28: *Provided*, That the treated coal is kept separate and is not mixed with untreated coal. When a treatment charge is made pursuant to this section the seller need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated.

(e) *Definitions.* (1) The term "delivered" or "direct delivery" means a sale of solid fuel in which the delivery services are included in the price charged to the purchaser when the fuel is delivered to the purchasers' premises and dumped or chuted from the seller's trucks directly into the buyer's bin or storage space; but if this is physically impossible, the term means discharging the fuel directly from the seller's truck at the point nearest and most accessible to the buyer's bin or storage space.

(2) Except as otherwise provided herein or as the context may otherwise require, all terms used in this order shall bear the meaning given them in Revised Maximum Price Regulation No. 122 or in the Emergency Price Control Act of 1942, as amended; if not therein defined they shall be given their ordinary and popular trade meaning.

(f) *Effect of this order on Revised Maximum Price Regulation No. 122.* To the extent applicable to provisions of this order supersede Revised Maximum Price Regulation No. 122. In so far as any provisions of this order may be inconsistent with any provision of Revised Maximum Price Regulation No. 122, the provision contained in this order shall be controlling. Except as herein otherwise provided, the provisions of Revised Maximum Price Regulation No. 122 shall remain in full force and effect.

(g) The maximum prices established by this order reflect the increase of 10 cents per net ton authorized under § 1340.254 (e) (5) of Revised Maximum Price Regulation No. 122, as amended by Amendment No. 40. Sellers covered by this order may not add to the maximum prices established hereby such increase of 10 cents per net ton provided by § 1340.254 (e) (5) of Revised Maximum Price Regulation No. 122, as amended by Amendment No. 40.

(h) Regional Order No. 51, effective March 1943, is hereby revoked.

This order may be amended, modified, or revoked at any time.

This Order No. G-28 shall become effective immediately.

Issued this 28th day of December 1945.

R. E. WALTERS,
Regional Administrator.

Approved:

D. O. BOWMAN,
Regional Price Executive.
BERTHOLD J. HARRIS,
Regional Price Attorney.

[F. R. Doc. 46-1433; Filed, Jan. 25, 1946;
12:08 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 59-20, 59-8, 54-75]

COMMONWEALTH AND SOUTHERN CORP.
ET AL.

MEMORANDUM OPINION

In the matter of the Commonwealth & Southern Corporation (Delaware), respondent, File No. 59-20; the Commonwealth & Southern Corporation (Delaware) and its subsidiary companies, respondents, File No. 59-8; the Commonwealth & Southern Corporation (Delaware), File No. 54-75.

This Commission on April 9, 1942, issued its order pursuant to the requirements of section 11 (b) (2) of the Public Utility Holding Company Act directing The Commonwealth & Southern Corporation (Commonwealth) to recapitalize on a one-stock basis.¹ On June 30, 1945 the Commission approved a plan of recapitalization, submitted by Commonwealth under section 11 (e), which provided for a distribution of the common stock of Commonwealth's northern subsidiaries and of new common stock of Commonwealth on the basis of 85% thereof to the preferred stockholders and 15% to the common stockholders of Commonwealth, and provided also for a favorable vote of stockholders on the plan as a condition to enforcement thereof by a Federal District Court.² Thereafter, the Commission on November 1, 1945, modified its order of June 30, 1945, so as to approve the plan on condition that the provision for a stockholders' vote be deleted within 15 days.³

On November 9, 1945, Commonwealth filed modifications of its plan of recapitalization providing for the deletion of the provision for a stockholders' vote upon the express condition that the Commission approve further substantial amendments of the plan. The additional modifications filed by Commonwealth contain elaborate provisions for a trust arrangement which would give the common stockholders the privilege of acquiring, at any time within 5 years, the shares otherwise allocated to preferred stockholders through the payment to preferred stockholders of the fixed redemption price provided for in the preferred stock contract.⁴ In its

¹ The Commonwealth & Southern Corporation, Holding Company Act Release No. 3432, 11 SEC 138 (1942); affirmed 134 F. 2d 747.

² The Commonwealth & Southern Corporation, Holding Company Act Release No. 5895.

³ The Commonwealth & Southern Corporation, Holding Company Act Release No. 6177.

⁴ The plan as it is proposed to be modified, in brief, retains the 85%-15% allocation but provides that instead of an immediate distribution, the common stocks of the northern subsidiaries and the new common stock of Commonwealth would be deposited with a trustee which would issue "A" Participation Certificates to holders of Commonwealth's preferred stock and "B" Participation Certificates to holders of Commonwealth's common stock. Upon the surrender of their shares the preferred stockholders would receive for each share \$4.50 in cash and one "A" certificate entitling the holder to receive, on the termination of the trust, the stock receivable under the 85%-15% allocation subject to earlier retirement at \$110 plus accrued and unpaid dividends as de-

statement accompanying the modifications, Commonwealth stated that the market valuation of common stocks of operating companies is substantially higher now than when the plan as heretofore approved by the Commission was filed, and expressed the belief that it would be "unfortunate to cut off finally at this time any appreciation which the common stockholders might realize" as a result of improved future earnings prospects and market conditions.

The immediate questions presented are whether the proposed modifications should be set down for hearing and, if not, what steps should be taken to secure compliance with our order of April 9, 1942. As to the first question, we have concluded that prima facie the modifications do not appear to have sufficient merit to warrant the scheduling of hearings thereon in view of the highly complicated and confusing nature of the proposals, aside from various other difficult questions of fairness.

Nevertheless, we believe that careful consideration should be given to the possibility, upon which the proposed modifications have been predicated, that under present conditions a change in the form of the reorganization might preserve a larger interest for the common stockholders while fully satisfying the claim of preferred stockholders. Although it is our tentative view that the modifications proposed by Commonwealth to achieve this result are unacceptable, it may be possible that such result can be achieved under present conditions by a program for the retirement of preferred stock through the disposition of assets.

Without making any findings in regard to the foregoing matters, in the absence of a record upon which such findings could be made, it does appear appropriate under all the circumstances not to seek enforcement of the plan heretofore considered by us, as a plan under section 11 (d), until an opportunity is provided for consideration of the possibilities of a retirement of preferred stock through the disposition of assets. Accordingly, we

scribed below. The common stockholders, upon the surrender of their shares, would receive one "B" certificate for each 25 shares and bearer scrip for less than 25 shares. The trust so created would exist for 5 years unless earlier terminated, during which time the holders of "B" certificates would have the right at any time to redeem "A" certificates by payment to the trustee of an amount equivalent to the redemption price of the preferred stock (\$110 per share plus accrued dividends). Holders of a specified combination of "A" and "B" certificates would be permitted to surrender their certificates at any time and receive from the trustee the deposited shares allocated under the plan to such certificates. Application would be made for listing "A" and "B" Participation Certificates on the New York Stock Exchange. At termination of the trust the holders of any remaining "A" and "B" certificates outstanding would receive deposited shares on the 85%-15% basis as provided in the plan. During the term of the trust the trustee would vote the deposited shares in accordance with directions of certificate holders and all dividends on the deposited shares would be paid to the trustee and then distributed after expenses, 85% to "A" certificate holders and 15% to "B" certificate holders.

shall withhold further proceedings in this matter for a period of 30 days from the date of this opinion during which time an opportunity will be afforded to Commonwealth and to any person having a bona fide interest in the reorganization to file a plan for compliance with our order of April 9, 1942, based upon the principle of retiring the preferred stock through the sale or other disposition of assets. As promptly as possible after the expiration of such period, the Commission will either issue a notice and order reconvening the hearings in this matter or take such other action as may appear appropriate to secure enforcement of our section 11 (b) (2) order.

In order that Commonwealth and all other interested parties may be apprised of our views and conclusions as herein expressed, it is directed that the Secretary of this Commission shall mail a copy of this memorandum opinion by registered mail to Commonwealth and each of its subsidiary companies, and to each of the parties heretofore granted the right to intervene or to limited participation in these proceedings and that notice shall be given to all other persons by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases under the Act, and that further notice shall be given to all persons by publication of this memorandum opinion in the FEDERAL REGISTER.

By the Commission.

ORVAL L. DuBOIS,
Secretary.

JANUARY 24, 1946.

[F. R. Doc. 46-1475; Filed, Jan. 28, 1946;
9:45 a. m.]

[File No. 70-936]

GEORGIA POWER AND LIGHT CO.

ORDER RELEASING JURISDICTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 24th day of January 1946.

Georgia Power and Light Company having filed an application, and amend-

ments thereto, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935, for exemption from the provisions of section 6 (a) of the act of the issue and sale, in accordance with the competitive bidding requirements of Rule U-50, of \$2,500,000 principal amount of First Mortgage Bonds to mature March 1, 1975; and

The Commission having, by order dated April 26, 1945, granted said application, as amended, and said order having, among other things, reserved jurisdiction with respect to the payment of miscellaneous expenses in connection with the proposed transactions; and

The applicant having furnished the Commission with a statement of the miscellaneous expenses incurred in connection with such transactions; and it appearing to the Commission that such expenses were not unreasonable:

It is ordered, That the jurisdiction heretofore reserved over the payment of miscellaneous expenses in connection with the proposed transactions be, and hereby is, released.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-1476; Filed, Jan. 28, 1946
9:45 a. m.]

NORRIS & HIRSHBERG, INC.

ORDER REVOKING REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 22d day of January A. D. 1946.

In the matter of Norris & Hirshberg, Inc., Atlanta, Georgia.

Proceedings having been instituted to determine whether the registration of Norris & Hirshberg, Inc., as a broker and dealer should be revoked pursuant to section 15 (b) of the Securities Exchange Act of 1934, and whether or not it should be suspended or expelled from membership in National Association of Securities Dealers, Inc., a registered securities association, pursuant to section 15A (1) (2) of said act;

A hearing having been held after appropriate notice, the Commission being duly advised and having this day issued its findings and opinion herein, on the basis of said findings and opinion, *It is ordered*, That the registration of Norris & Hirshberg, Inc., as a broker and dealer be, and the same is hereby, revoked.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-1478; Filed, Jan. 26, 1946;
9:45 a. m.]

NORRIS & HIRSHBERG, INC.

ORDER MODIFYING PREVIOUS ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 24th day of January, A. D. 1946.

In the matter of Norris & Hirshberg, Inc., Atlanta, Georgia.

The Commission having, on the 22d day of January, 1946, entered an order herein pursuant to section 15 (b) of the Securities Exchange Act of 1934, revoking the registration of Norris & Hirshberg, Inc., as an over-the-counter broker and dealer; counsel for Norris & Hirshberg, Inc., having informed the Commission that he intends to seek a stay of effectiveness of said order pending review thereof before an appropriate United States Circuit Court of Appeals; and the Commission having considered the matter and being of the opinion that it is appropriate in the premises to withhold effectiveness of the aforesaid order for a period of 14 days; *It is ordered*, That the order herein dated January 22, 1946, be and the same is hereby modified for the purpose only of providing that the effectiveness of said order be suspended for the period of 14 days from the date hereof.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-1477; Filed, Jan. 28, 1946;
9:45 a. m.]